

1901-1902

GOVERNMENT OF MYSORE

LEGISLATIVE

PROCEEDINGS

*Dated 14th December 1901*

No.  $\frac{9270-308}{\text{Legis. 57}}$

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Issuing, with remarks, Rules for the  
Preservation of Game and Fish in the My-  
sore State, under Regulation II of 1901.

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**Papers relating to the Draft Rules under the  
Mysore Game and Fish Preservation  
Regulation, II of 1901**

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# CONTENTS.

1. Regulation No. II of 1901 (The Mysore Game and Fish Preservation Regulation)	1
2. Draft where No. 12110—Legal, P2, dated the 26th April 1901	4
(Draft Rules proposed to be issued under Regulation No. II of 1901)	4
3. Letter No. 2222, dated 25th April 1901, from the Commissioner of Forests to Mysore	7
Re: Rules to be made (Draft, Rules with suggestions by the same officer)	7
4. Letter No. 207, dated 25th May 1901, from the Superintendent of Revenue Survey to Mysore	8
5. Letter dated 25th May 1901, from the Secretary Secretary, Mysore Game and Fish Preservation Commission	11
Re: Rules to be made (copy of Resolution, of the above Commission suggesting themselves to frame a new rule under the above Regulation)	11
Proceedings of a meeting of the above Commission	11
6. Letter No. 140, dated 11th June 1901, from the Deputy Commissioner, Kolar District	12
Re: Rules No. 1 to the above (suggestions by Mr. Boyd)	12
Re: Rules No. 2 to the above (suggestions by Mr. Turner)	12
Re: Rules No. 3 to the above (suggestions by Mr. Silver)	12
7. Letter No. 50, dated 2nd July 1901, from the Deputy Commissioner, Tanjore District	15
Re: Rules No. 1 to the above (letter from the District Forest Officer, Tanjore)	15
Re: Rules No. 2 to the above (opinion of Mr. D. A. Bagn)	15
8. Letter No. 14, dated 4th July 1901, from the Superintendent, Revenue Survey Commission to the above (letter from Mr. Brooke Nichol, London)	21
9. Letter No. 52, dated 5th July 1901, from the Deputy Commissioner, Kolar District	21
Re: Rules to the above (letter from Mr. H. V. Williams)	21
10. Letter No. 77, dated 15th July 1901, from the Deputy Commissioner, Bangalore District	22
Re: Rules No. 1 to the above (Memo by Mr. C. K. K. K. K.)	22
Re: Rules No. 2 to the above (letter from Mr. C. K. K. K.)	22
Re: Rules No. 3 to the above (letter from the Deputy Commissioner, Bangalore District)	22
Re: Rules No. 4 to the above (letter from Mr. C. K. K. K.)	22
Re: Rules No. 5 to the above (letter from the Assistant Commissioner, Channarayana Division)	22
Re: Rules No. 6 to the above (letter from the Assistant Commissioner, Bangalore District)	22
Re: Rules No. 7 to the above (letter from the Assistant Commissioner, Bangalore District)	22
11. Letter No. 114, dated 15th July 1901, from the Deputy Commissioner, Kolar District	23
12. Letter No. 172, dated 15th August 1901, from the Deputy Commissioner, Chikmagalur District	24
Re: Rules No. 1 to the above (letter from Mr. J. A. A. A.)	24
Re: Rules No. 2 to the above (opinion of the Assistant Commissioner, Chikmagalur District)	24
Re: Rules No. 3 to the above (opinion of the Assistant Commissioner, Chikmagalur District)	24
13. Letter No. 272-280, dated 15th September 1901, from the Deputy Commissioner, Chikmagalur District	25
Re: Rules to the above (letter from the Sub-Division Office, Bangalore)	25
14. Letter No. 210, dated 10th September 1901, from the Deputy Commissioner, Mysore District	26
Re: Rules No. 1 to the above (letter from the Sub-Division Office, Bangalore)	26
Re: Rules No. 2 to the above (letter from the District Forest Officer, Mysore District)	26
Re: Rules No. 3 to the above (letter from the City Magistrate, Mysore District)	26
Re: Rules No. 4 to the above (letter from the Superintendent of Police, Mysore District)	26
15. Letter No. 280, dated 10th September 1901, from the Deputy Commissioner, Mysore District	27
16. Letter No. 281, dated 10th September 1901, from the Deputy Commissioner, Mysore District	27
Re: Rules to the above (letter from Mr. James Young)	27
17. Letter No. 282, dated 10th September 1901, from the Deputy Commissioner, Mysore District	28
18. Letter No. 283, dated 10th September 1901, from the same officer	28
19. Letter No. 284, dated 10th September 1901, from the Deputy Commissioner, Mysore District, forwarding Memo by Mr. B. A. Bagn, District Forest Officer, Bangalore	29

Papers relating to the Draft  
Rules under the Mysore  
Game and Fish Preserva-  
tion Regulation, II of  
1901.

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No. 1.

GOVERNMENT OF MYSORE.

LEGISLATIVE DEPARTMENT.

REGULATION No. II OF 1901.

(PASSED ON THE 8TH DAY OF APRIL 1901.)

*A Regulation to prevent the indiscriminate  
destruction of Wild Animals and Birds,  
and to provide for the protection of  
Game and Fish in Mysore.*

Whereas it is expedient to prevent  
the indiscriminate  
destruction of wild  
animals and birds, and to provide generally  
for the protection of game and fish in  
Mysore; Her Highness the Maharani-Reg-  
ent is pleased to enact as follows:--

1. (1) This Regulation may be  
called the "Mysore  
Game and Fish Pre-  
servation Regulation, 1901."

(2) It shall extend to such local  
areas as may from  
time to time be speci-  
fied by Government  
by notification in the Official Gazette.

(3) And it shall come into force  
at the end of six months from the date of  
its publication in the Official Gazette.

2. In this Regulation, "Game" means  
antelope, ibex, jungle-  
sheep, sambar and  
all other descriptions of deer, bison, hares,  
jungle-fowl, spur-fowl, pea-fowl, partridge,  
grouse, quail, wood-cock, bustard, florican,  
duck and teal, and shall include such other  
animals and birds as the Government of  
Mysore may, by notification in the Official  
Gazette, declare to be Game.

3. The Government of Mysore may  
from time to time, by  
notification in the  
Official Gazette, pro-  
hibit absolutely the  
killing or capture of any specified kinds of  
Absolute protection  
of particular classes  
other than "Game."

animals or birds, the killing or capture of which the Government may consider unsportsmanlike or otherwise inexpedient, provided that such animals or birds do not come under the definition of "Game" for the time being in force.

4. Whenever the Government of Mysore has reason to believe that any particular kinds of wild

Limited protection of particular classes killed for commercial purposes.

animals or birds, whether included in the definition of "Game" or not, are being largely destroyed for the sake of their skins, horns or plumage for commercial or other purposes, it may, by notification in the Official Gazette,

(a) prohibit the killing or capture of such particular kinds except under and in accordance with the conditions of a license, granted by such officer and in such form as the Government may prescribe in this behalf, and

(b) prohibit the killing or capture of such particular kinds either during a defined period of time, or within a defined area or both.

5. (1) The Government of Mysore may from time to time, by notification

Regulation of fishing. in the Official Gazette, make rules for the regulation and control of fishing in any stream or lake, and may, from time to time, amend or cancel any rule so made.

(2) Rules under this section may, among other matters, prohibit the poisoning of the water of any stream or lake, and prohibit or regulate the placing or throwing of any explosive or deleterious substance therein, and the use, for the capture of fish, of fixed engines and nets of a mesh below a certain size.

6. The Government of Mysore may from time to time, by

Close season and protection of game and fish.

notification in the Official Gazette,

(1) fix a season or seasons in every year during which it shall not be lawful for any person within any specified local area to kill or capture, or attempt to kill or capture, game or fish of any specified kind;

(2) prohibit altogether, for any period not exceeding five years, within any specified local area, the killing or capture of game or fish of any specified kind;

(3) prohibit absolutely the killing or capture of the mature females or immature males or females of any specified kinds of game, or the taking out or destruction of the eggs of game birds ;

(4) prohibit or regulate the setting of nets, snares, traps, or spring-guns, the laying of poison or poisonous ingredients or preparations, or the digging of pits, to entrap or kill game or any specified kinds of game ;

(5) regulate or prohibit, except under, and in accordance with the conditions of a license granted as provided by rules to be framed by the Government, the capture and killing of game or of any specified kinds of game ;

and may, from time to time, amend or cancel such notification.

Provided that no such notification shall have effect until one month from the date of its first publication in the Official Gazette.

7. The Government of Mysore may

Rules about the sale of game and fish. from time to time, by notification in the Official Gazette, make rules regulating the sale of game and fish within any specified local area.

8. Any person who wilfully kills,

Penalty for certain offences. captures or sells, or attempts to kill, capture or sell, any animal, bird, game or fish, or does any other act, in contravention of this Regulation or of any rules or notification under this Regulation, or in contravention of any condition contained in a license granted under this Regulation or under the rules made thereunder, shall be liable on conviction to fine not exceeding one hundred rupees.

9. When any person is convicted of

Disposal of killed or captured game or fish, or weapons, &c., belonging to the offender convicted under Section 8. an offence punishable under this Regulation, the convicting Court or Magistrate may direct that the whole or any portion of any

animal, bird, game or fish, killed or captured by such person and of all weapons, implements and dogs used in and for the purpose of aiding the commission of such offence, shall be confiscated, and any license granted under this Regulation to such person may be cancelled by the officer who granted such license.

10. Subject to such rules as the Government of Mysore may from time to time prescribe, all fees and fines levied, and sums realized by the sale of property confiscated under this Regulation, shall be paid into the public treasury. But the convicting Court or Magistrate may award to any person or persons on whose information the conviction was obtained, the whole or any portion of any fine imposed or of any sum realized as aforesaid.

11. Any Forest Officer and any other Officer or person empowered in this behalf by the Government of Mysore or by a subordinate Revenue authority to which the Government may have delegated its authority for the purpose, may arrest without a warrant any person who commits in his view any offence punishable under this Regulation or the rules thereunder, and who, on demand, refuses to give his name and address or gives a name and address which there is reason to believe is false.

12. Nothing in this Regulation shall be deemed to prevent any owner or occupier of land from killing, capturing or pursuing game doing damage to any crop growing thereon, so far as the same may be necessary for the protection of the crop.

## No. 2.

*Notification by the Government of Mysore,  
Legislative Department, No. 13319—  
Legis. 93, dated 9th April 1901.*

The following draft of rules proposed to be issued under the Mysore Game and Fish Preservation Regulation, II of 1901, is published for general information. The same will be taken up at the end of three months from this date; and all suggestions and criticisms received within this period will be duly considered :—

*Draft Rules under Regulation II of 1901.*

The following Rules are prescribed by the Government of Mysore in exercise of the powers conferred by the Mysore Game and Fish Preservation Regulation, 1901. These Rules shall come into force on.....  
.....; but the provisions regarding licenses shall not apply to State Forests and Plantations.

1. The killing of monkeys, Brahman kites, parrots, and birds of song, is absolutely prohibited.

2. Except with the special permission of the Government, it shall not be lawful to kill pea-fowl or jungle-fowl in any part of Mysore for a period of five years from the coming of these Rules into force.

3. Fish in perennial streams or lakes (i. e., tanks) shall not be caught or destroyed during the spawning season, i. e., from the 1st January to the 1st June, both days inclusive, in any year.

4. The doing of any of the following acts in respect of any stream or lake, with a view to the capture or destruction of fish, namely,—the poisoning of water, the placing or throwing of dynamite or other explosive or deleterious substance in water, the setting of fixed engines, and the use of nets having a mesh below an inch and a half,—is forbidden.

5. Deputy Commissioners are authorised to declare, from time to time, by notification in Part II of the *Mysore Gazette*, all or any streams or lakes or any portion of the same to be closed against fishing during any year or part of a year, and, in like manner, to prohibit for like periods the capture or destruction of any particular species of fish therein.

6. It shall not be lawful for any person to shoot at and kill—

(a) hares or any description of feathered game between the 1st of March and the 1st of September, both days inclusive, or

(b) game of any other description between the 15th of June and the 15th of November, both days inclusive,—

in any year.

7. No person shall shoot at and kill, or attempt so to do, the females whether mature or otherwise, or the immature males of bison, sambhar, antelope, ibex, or any variety of deer at any time of the year, or any mature male sambhar or spotted deer if it is hornless or if its horns are in velvet.

8. Except to the extent permitted under Section 12 of the Regulation, no person shall shoot at and kill game, or attempt so to do, without a license in the form appended to these Rules, to be obtained from the District Magistrate on payment of a fee of 10 rupees. The District Magistrate shall be at liberty either to grant or to refuse to grant a license; or, if satisfied that the conditions of a license have not



been complied with, to withdraw or cancel the same at any time.

9. A license granted under the preceding Rule shall cover only the individual in whose name it was issued, and shall not be transferable to any other person. It shall be available only till the expiration of the Revenue year for which it was granted, but it may be renewed, previous to such expiration, on payment of a second fee. Such license shall, on payment, of a further fee of 20 rupees, and on countersignature by the Secretary to the Government of Mysore in the General Department or other Officer authorised in this regard by the Government, be valid for all the districts in Mysore.

10. Any person holding a license or acting under a license granted as aforesaid shall be bound to produce the same when called upon to do so by any Magistrate or by any Police Officer of or above the rank of an Officer in charge of a Police Station.

11. During the close season prescribed in these Rules, no person shall sell or expose for sale any kind of game, or any kind of fish in the neighbourhood of a perennial stream or lake.

12. Deputy Commissioners are authorised to prohibit the sale of fish in the neighbourhood of any stream or lake or portion thereof closed against fishing under Rule 5, or the sale in such neighbourhood of any species of fish of which the capture or killing may have been prohibited under that Rule, unless it can be shown that the fish sold or attempted to be sold was caught from some place where its capture was not unlawful.

13. All Forest Officers including watchers, all Police Officers including constables, and all Officers of the Revenue Department (including Land Revenue, Excise, Sayer, &c.) of or above the rank of Patel or Shanbog, are empowered to exercise the power to arrest offenders under the circumstances referred to in Section 11 of the Regulation.

## (Continued)

(To be attached to the Mysore Game and Fish Preservation Regulations)  
**LICENSING FOR THE PURSUIT OF GAME.**

Permittees is granted to the Mysore Game and Fish Preservation Regulations, 1901, and of the Rules framed thereunder. It may be shown on demand to any Police Officer or to any Police Officer of or above the rank of an Officer in charge of a Police Station.

Conditions to be printed on the permits.

This license is not transferable. It is not available to persons who are insane and persons who are under a sentence of imprisonment. It may be shown on demand to any Police Officer or to any Police Officer of or above the rank of an Officer in charge of a Police Station.

The license is subject to the provisions of the Mysore Game and Fish Preservation Regulations, 1901, and of the Rules framed thereunder. Attention is particularly drawn to the provisions of Rules 1, 2, 3, 4 and 5.

Rule 1. . . . .

Rule 2. . . . .

Rule 3. . . . .

Rule 4. . . . .

Rule 5. . . . .

**LICENSING FOR THE PURSUIT OF GAME.**

Permittees is granted to the Mysore Game and Fish Preservation Regulations, 1901, and of the Rules framed thereunder. It may be shown on demand to any Police Officer or to any Police Officer of or above the rank of an Officer in charge of a Police Station.

Conditions to be printed on the permits.

This license is not transferable. It is not available to persons who are insane and persons who are under a sentence of imprisonment. It may be shown on demand to any Police Officer or to any Police Officer of or above the rank of an Officer in charge of a Police Station.

The license is subject to the provisions of the Mysore Game and Fish Preservation Regulations, 1901, and of the Rules framed thereunder. Attention is particularly drawn to the provisions of Rules 1, 2, 3, 4 and 5.

Rule 1. . . . .

Rule 2. . . . .

Rule 3. . . . .

Rule 4. . . . .

Rule 5. . . . .

**No. 3.**

Letter No. 2551—67, dated Bangalore, 26th April 1901, from the *Conservator of Forests in Mysore*, to the *Secretary to Government of Mysore, General and District Enquiry*, etc.

Referring to your Letter No. 13778—Legis., 1901, dated 15th October, I have the honor to acknowledge the receipt of the Draft Rules under the Mysore Game and Fish Preservation Regulations, 1901, with certain proposed additions indicated thereon.

2. In considering the extent to which the indiscriminate slaughter of wild animals is affected by attempts to capture before the animals are or can be killed, I venture to urge that the power taken by the Regulations to prohibit or restrict capture should not be left, as is proposed under the Draft Rules, practically inoperative.

3. The effect is practice of Draft Rule No. 3 must, I submit, largely depend on the power to demand production of the license. (Having regard to Section 11 of the Regulation, I am of opinion that the license should be shown on demand to any Forest Officer, including Forest guards. Unless this is done, Section 11, as regards intervention of forest officers in respect of a breach of Draft Rule No. 3, must, I submit, be a great latent impotence. And it may be remembered that, in many localities, the forest staff will be the best, if not the sole agency for preventing breaches of Draft Rule 3.

Enclosed is shown

Draft Rules under Regulation 11 of 1901.

The following Rules are prescribed by the Government of Mysore in exercise of the powers conferred by the Mysore Game and Fish Preservation Regulation,

1901. These Rules shall come into force on.....; but the provisions regarding licenses shall not apply to State Forests or to Forests specially protected under Section 35 of the Mysore Forest Regulation.

*Rule 6.* It shall not be lawful for any person to capture, shoot at or kill, or attempt so to do—

- (a) hares or any description of feathered game between the 1st of March and the 1st of September both days inclusive, or
- (b) game of any other description between the 15th of June and the 15th of November, both days inclusive,—

in any year.

*Rule 7.* No person shall capture, shoot at or kill, or attempt so to do, the females whether mature or otherwise, or the immature males, of bison, sambhar, antelope, ibex, or any variety of deer at any time of the year, or any mature male sambhar or spotted deer if it is hornless or if its horns are in velvet.

*Rule 8.* Except to the extent permitted under Section 12 of the Regulation, no person shall capture, shoot at or kill game, or attempt so to do, without a license in the form appended to these Rules, to be obtained from the District Magistrate on payment of a fee of 10 rupees. The District Magistrate shall be at liberty either to grant or to refuse to grant a license; or, if satisfied that the conditions of a license have not been complied with, to withdraw or cancel the same at any time.

*Rule 13.* All Forest Officers including Forest guards, all Police Officers including constables, and all Officers of the Revenue Department (including Land Revenue, Excise, Sayer, &c.) of or above the rank of Patel or Shanbog, are empowered to exercise the power to arrest offenders under the circumstances referred to in Section 11 of the Regulation.

#### *Form of License.*

This license is not transferable. It is not available as regards State Forests or Forests specially protected under Section 35 of the Mysore Forest Regulation. It must be shown on demand to any Magistrate or to any Police Officer of or above the rank of an officer in charge of a Police Station. (See covering letter.)

#### **No. 4.**

*Letter No. 807, dated Bangalore, 18th May 1901, from the Superintendent, Revenue Survey, to the Secretary to Government of Mysore, General and Revenue Departments.*

I have the honor to acknowledge the receipt of copy of Rules proposed to be

issued under the Mysore Game and Fish Preservation Regulation, II of 1901, forwarded for suggestions and criticism with your letter No. 13777—Legis. 100, dated 15th April 1901.

2. I am much puzzled by the preamble to the proposed Rules which lays down that the "provisions regarding licenses shall not apply to State Forests and Plantations," and by the form of license proposed which lays down that "it (the license) is not available as regards State Forests and Plantations." This must mean one or other of two things, either (1) that to shoot in State Forests and Plantations no license is necessary or (2) that no shooting at all will be allowed in State Forests and Plantations.

3. As regards the first proposition it would clearly be absurd and opposed to proposed Rule 8, to permit shooting without a license, simply because the Forest authorities may have given some person permission to shoot.

4. As regards the second proposition it surely cannot be in contemplation to entirely forbid shooting in State Forests. In the Nilgiris, reserved and rented forests, fuel and fodder reserves, etc., all come within the limits regulated by rules under sections 21 and 26 of the Madras Forest Act, and a license to hunt and shoot requires a fee of Rs. 30. The State Forests of Mysore represent the best shooting grounds and are at the same time the best refuge for persecuted game; but shooting within them, when subservient to Forest Rules and restrictions, and regulated by the Regulation and the Rules under it, would do no harm. The license should not *per se* convey any right to shoot in State Forests, but if shooting and hunting are permitted in those Forests the taking out of a license should be imperative.

5. The license of Rs. 30, valid for all the districts in Mysore, contemplated by Rule 9, would be taken out only by sportsmen either local or visiting the Province. If entirely debarred from shooting in State Forests it would not be worth any person's while to take out such a license but any one would take out a license if he knew that it was subservient only to the really necessary rules and restrictions of the Forest Department. *Bona fide* sportsmen are the least prone of all people to indulge in indiscriminate destruction of wild animals and birds but, when permitted by the Forest Department to shoot in State Forests, they should not only be under all the provisions of the Regulation but should pay for a license.

6. I now offer a few remarks on the proposed Rules.

*Rule 2.* I question whether it would not be better to confine the operation of this Rule to *pea-hens* and *jungle-hens*. The cock birds might be shot, excepting during the close season. I would add "*No person shall take the eggs of pea-hens or jungle-hens at any time throughout the year*"

*Rule 3.* Omit "*perennial streams or lakes.*" The fixing of the spawning season is sufficient.

*Rule 5.* Might be dispensed with as Section 5 of the Regulation is sufficient.

*Rule 6.* For "*shoot at or kill*" substitute "*shoot at, wound, kill or capture.*"

*Rule 7.* For "*shoot at and kill*" substitute "*pursue, shoot at wound or kill*" and omit "*or attempt to do so.*"

*Rules 8 and 9* are satisfactory.

*Rule 10.* It is a question whether the right of calling for production of licenses should not be given to patels and shanbogs Under Rule 13 those officers are empowered to exercise the power to arrest offenders under the circumstances referred to in Section 11, and of the offences therein alluded to the shooting without a license is one.

*Rule 13.* I should like to see servants of "*Game Associations,*" wearing the badge of the Association, added. A game association has already been practically formed, as the result of a large meeting of gentlemen held at Saklespur on 21st March last. The efforts of the association will be crippled unless its servants are recognized.

7. *General.* The Rules as they stand contain nothing prohibitive of snaring, trapping and netting, outside the close season, although Section 6 (4) gives power to make Rules to that effect. No one requires to be told what a disastrous effect these practices have upon the existence of all kinds of game, and with what terrible cruelty the snaring, in itself, and the after preparation of the game, while still alive, for market are attended. There seems no object in keeping within the reach of wandering tribes and others such a precarious means of livelihood as snaring game, especially as, year by year, they are recklessly cutting off their own supply, and operations must, necessarily, be in entire disregard of age and sex. I cannot help thinking that snaring, trapping and netting should be absolutely forbidden.

8. I would suggest, either to follow Rule 13 or to come as the last of the Rules, the following as some people look only at the Rules and not the Regulation itself or *vice versa*.

"Any breach of the above Rules within any area to which the Regulation extends under Section 1 will render the offender liable on conviction before a Magistrate to the punishment provided by Section 8 of the Regulation."

9. The mainspring of success in working the Rules will be found in the village patels.

10. I recommend the extension of the Regulation, under Section 1 to the whole of the Province. There are positively no circumstances whatever which point to the exemption of one part of the Province as compared with another. Take for instance proposed Rule 1, a most humane and highly appreciated provision, and its effect would be at once viliated by limiting its operation. The same remark applies to all the proposed Rules more or less. Deputy Commissioners may think that they are expected to submit some proposals regarding the local area into which the Regulation may advantageously introduced in the first instance. If any exemption is to be made it should be made hereafter but, to begin with the Regulation should extend to the whole Province.

#### No. 5.

*Letter dated Saklespur, May 20th, 1901, 2492N—23rd May 1901, from the Honorary Secretary, Mysore Game and Fish Preservation Association, to the Secretary to the Government of Mysore, General and Revenue Departments.*

I have the honor to enclose for the information and favorable consideration of Government, a copy of proceeding of the Committee of the above Mysore Game and Fish Preservation Association, held on May 16th, 1901, for the purpose of discussing Regulation II of 1901 and drawing up suggestions regarding it and its Draft Rules, and I solicit the favor of the same being submitted to Government.

Enclosure to the above.

*Letter dated Saklespur, May 20th, 1901, from the Honorary Secretary, Mysore Game and Fish Preservation Association, to the Secretary to the Government of Mysore, General and Revenue Departments.*

I have the honor to quote below a resolution passed by the Committee of above association at a meeting held on the 16th instant and I beg to solicit that the same may be submitted for the kind consideration of Government.

*Copy of Resolution.*

"That Government be asked to introduce a new Rule under the Mysore

"Arms Act" providing for the numbering of guns, the number to be shown on the license and an identification column provided on the same, for the purpose of preventing the unauthorised use of license by others than the licensee."

THOS. HUNT,

Hony. Secy, M. G. & F. P. Assoc.

*Mysore Game and Fish Preservation Association.*

Proceedings of a Committee meeting held in Sakleshpur, May 16th, 1901, to consider Regulation II of 1901 recently enacted by the Government of Mysore. Present—A. R. Park (President) Capt. Foster, Messrs. C. H. Gedfrey, P. R. Wetherall, and Thos. Hunt (Hony. Secretary), Mr. G. Anderson, C. I. E., kindly attended to give the Committee the benefit of his valuable advice and experience.

The following alterations to Regulation II of 1901, were suggested and approved of—

"That the Regulation be applied to the whole of the State and not to specified local areas only." Section I, clause (2).  
Extent and commencement.

"That the word "muntgai" be printed in parenthesis after the word "jungle sheep" and the word "gaur" after the word "bison." Section II.  
"Game" defined.

"That the words "or attempt to capture" be inserted after the word "capture;" so that the rule reads "The capture or attempt to capture and killing." Section VI, clause 5.  
Close Season and Protection.

"That all vendors of game and fish must be licensed." Section VII.  
Rules about sale of game and fish.

"That a term of imprisonment in lieu of non-payment of fine, be provided" (See Rule 9 of the Nilgiri Game Association.) Section VIII.  
Penalty for certain offences.

(1) "That the words "or any license holder under this Regulation" be inserted after the words "any Forest officer and any other officer." Section XI.  
Power of officers to arrest.

(2) That the words "in his view" occurring after the words "person who commits" be expunged.

"That the word "pursuing" be expunged from the clause, and that the word "or" be inserted between "killing and capturing." Section XII.  
Exception.

"That all Magistrates be empowered to try offenders, under this Regulation." Suggested addition to the Regulation.

Suggested alterations to "Draft Rules" under Regulation II of 1901.

No objection is offered to the prohibiting of the killing of pea-fowl for a period of five years, or even longer; but in the case of jungle-fowl this Association considers the Rule 2.

rule too drastic; and would beg to suggest as an alternative, "That a close time be imposed for these birds, viz., from 1st February to 30th September, inclusive. (See Rule 3, Nilgiri Game Association.)"

The spawning season for fish in rivers running to the West Coast being during the S. W. Monsoon, beg to suggest "That the close time for these rivers be from March 1st to August 31st, inclusive" and for rivers running eastward, (N. E. Monsoon) the close time be from May 1st to November 30th inclusive."

(1) That the words "the shooting of fish" be inserted after the word "water."

(2) "That the words "in lakes (tanks)" be added after the words "one inch and a half" and that the words "and two inches and a half in perennial streams," be added after the words "in lakes (tanks)."

That the rule should read—"It shall not be lawful for any person to kill or attempt to kill or capture"—

(a) That the words "except migratory birds" be inserted after "feathered game."

(b) That this rule be expunged it being unnecessary, as Rule 7 gives ample protection.

That the words "or capture" be inserted after the word kill and that the word "and" occurring after "shoot at" be omitted.

"That the words "or other person empowered" be inserted after the words "Police station" (as under Rule 13 if modified as suggested under Section XI of Regulation).

That the words "or license holders under this Regulation" be inserted after the word "Shanbhog."

#### *Suggested additions to "Draft Rules."*

That the eggs of all protected birds be brought under the Rules.

That Government offer a substantial reward for the destruction of wild dogs, and that to meet any extra expenditure under this head, suggest that the rewards offered for tigers and leopards be reduced if necessary. (Nilgiri Game Association offers a reward of Rs. 12 per dog).

That Government be asked to devote a portion of sum realised by license fees, to the working expenses of the Mysore Game and Fish Preservation Association.



That an identification column be provided in license form for the purpose of preventing the unauthorised use of license by others than licensee.

THOS. HUNT,  
Hony. Secretary,

Mysore Game and Fish Preservation  
Association.

Saklespur, Hassan district.

## No. 6.

*Letter No. 748, dated Chikmagalur, 11th June 1901, from the Deputy Commissioner, Kadur District, to the Secretary to the Government of Mysore, General and Revenue Departments.*

With reference to your Official Memorandum No. 13769-77—Legis. 99, dated 15th April 1901, enclosing 20 spare copies of Draft Rules proposed to be issued under the Mysore Game and Fish Preservation Regulation and requesting to submit opinions upon the same, &c., I would beg to suggest that the whole of the Kadur district be included under this Regulation.

2. I have circulated the spare copies received, but up to date have only received three replies, *viz.*, from Messrs. Boyd, Parton and Oliver, all of whom take a keen interest in sport and may be said to fairly represent the district.

3. The suggestions made by these gentlemen conjointly with my own, are as follows:—

*Rule 1.* It is presumed that the killing of monkeys and parrots on private land is not prohibited as they are inimical to crops and at times cause great damage.

*Rule 2.* There appears to be no great object to be obtained in preserving jungle-fowl for five years, but there would be in preserving antelope which are fast disappearing from the Province. Antelope for jungle-fowl might therefore be substituted.

*Rule 3.* The spawning time for fish is evidently the monsoon, *vide* Thomas' Rod in India. The close time should therefore be altered from 1st June to 1st October.

That the meshes of all nets be limited to 1½ inches; that the use of explosives, poison and fixed engines be strictly prohibited.

*Rule 6 (a).* May be altered as follows:—

"Hares or any description of feathered game except migratory birds from 1st March to 1st September and migratory birds, viz.: duck, teal and snipe from 1st June to 1st October."

*Rule 9.* I think a Rs. 10 license should extend to the whole of Mysore and that a Rs. 20 license is unnecessary and would probably be a great source of annoyance.

4. I enclose copies of the opinions received.

(Enclosure No. 1 to the above.)

*Suggestions on the Mysore Game Laws.*

2. Antelope might be included with parafowl and junglefowl, as in many places they are now almost extinct. They require extra protection owing to their being found entirely in the open country where there is no cover for them to fall back on when much shot at.

3. This rule if passed as it stands will put a stop to all rod-fishing for mahseer and carp, especially in rivers running East (Bludra and Tunga) which are only fishable in the hot weather, the best months being February, March and April. Government seem to mistake the spawning season for all river fish, they spawn without exception during the south-west monsoon. Thomas in his "Red in India" pages 26, 27, &c., says regarding mahseer "when the streams are swollen by the monsoon rains they are able to ascend to parts of the river till unapproachable for want of water. There they deposit their spawn, and thus secure for their fry when hatched, water then dwindling to dimensions much better suited to their puny strength than the deeper current of the lower river. The spawning done, the parent fish keep dropping gently downwards with the continued decreasing waters, and before the spawn they have deposited, is hatched, they are completely cut off by paucity of water from their fry. So that till the commencement of the same monsoon in the following year they cannot return to devour them," he also says "small river fish spawn in May, June and July."

That fish do spawn in the monsoon is proved by the number of fry found after the monsoon in paddy fields and small streams.

I should suggest that limiting the mesh of all nets and prohibiting poison, dynamite and fixed engines of all sorts would be quite enough protection for river fish. Rod-fishing might be allowed all the year round

without any damage being done. Netting during the spawning season would be out of the question owing to the rivers being in flood.

6 (a). The open season for duck and teal might be extended to May 1st, as they do not nest in Mysore before July and August.

6 (b). Might be struck out altogether as game of all sorts are amply protected under Rule 7.

10. Would it not be a good thing to add—any license-holder on producing his own license may demand the production of license of any other person found shooting and should no license be produced report the same to the nearest Magistrate and Police officer, &c.

All the other Rules seem to me to be very good, and if strictly enforced by Government, there ought to be a fair head of game again in Mysore in a few years.

(Sil). A. B. BORD.

Barekody, May 4th, 1901.

(Enclosure No. 2 to the above.)

The draft of the Mysore Game and Fish Preservation Regulations, 1901, seem to me to require considerable revision. As the Rules now stand, planters who have a stake in the Province, will derive little or no benefit from any good that may result, for, the suggested "open" time for feathered game and big game is just when planters are busy with their crop and cannot get away. Moreover the suggested "close times" do not entirely embrace the breeding seasons; and it seems to me that the dates have been proposed for the convenience of cold-weather sportsmen from Bangalore. I therefore suggest the following alterations.

Clause 3. Fish in perennial streams—*vide Thomas*—breed during the monsoon. I should therefore recommend the close time to be from June 1st to January 1st.

Clause 6 (a). The close time for wild duck should be different from that of other feathered game. Migratory duck reach the Province in November and December and begin flying north again in April and May. Duck, *i. e.*, grey-duck, whistlers and cotton teal, that breed in the country, do so, in the months of July and August. I therefore propose that the close time for duck be from May 1st until December 1st. This will enable men who are fond of this form of sport, to get an opportunity. It will moreover protect the "flappers" of whistlers, grey-duck and cotton teal which are often not ready to shoot until December. Migratory ducks protect themselves by flight, and make for themselves a close time of over six months.

Clause 6 (b). Might be expunged altogether. Under Clause 7 the mature males of deer are protected while hornless or their horns are in velvet. This means a period of at least four to five months, which should be sufficient close time. Moreover the only time that planters have an opportunity of stalking on the ghats is in October and the beginning of November, before crop; for during the hot weather nearly all game is practically unapproached and has therefore a natural close time for three or four months. This, taken with the time that deer are hornless gives them a close time of nearly seven months. The only time to track "bison" in heavy jungle is during the monsoon months. Tracking being impossible during the hot weather "bison" have a natural close time of nearly six months. If the Regulations are rigorously carried in respect to females and immature males there is no reason why mature males should have any close. What has been said of deer and bison applies to black-buck. The only time that they can be at all easily approached is during the monsoon, so they too have their natural close time.

Under Clause 7, I should make it an offence against the Act to take the eggs of *any birds*. I understand that the eggs of grey-duck and whistlers are largely taken and sold in the vicinity of the breeding grounds.

(Sd). F. G. PARSONS.

(Enclosure No. 3 to the above.)

I have the honor to inform you that a copy of Draft Rules under Regulation II of 1901 was handed me by Mr. B. Layley, who informed me that my opinion was asked for, I herewith beg to submit it.

1. With regard to Rule 1, I conclude that the prohibition to shoot monkeys and parrots which are both very numerous and inimical to coffee is cancelled by the note "nothing in this Regulation, etc."

2. With regard to Rule 2, "except with the special permission, etc.," I would point out as jungle-fowls are very numerous in these parts it would be quite unnecessary to prohibit their being shot for a period of five years. In fact, I doubt, if they would thereby increase much. On the other hand if rewards were given for the destruction of birds of prey, jungle-cats, etc., great benefit might accrue, as I think that more fowls are destroyed in this way than by the guns. In the same way, I consider, rewards ought to be offered for the destruction of

wild dogs which play havoc a month all the deer tribe and they ought, if possible, to be exterminated. I have often seen large packs of them, once I counted 36.

3. I do not see how the proposed legislation is going to be enforced, more especially as I see no intention of empowering Planters to arrest or cause to be arrested, people infringing the law. It is well known that at the present moment there are many natives who although, the gun license is only 4-A, have no licenses. I would propose that should the income from licenses allow, that a special staff be employed in certain out of the way districts. As it is, who will arrest offenders in out of the way places, as for instance, the Jagar Valley?

4. With regard to Rule 6 (B). It seems to me that the close time might be changed from 16th June and 15th November to May 15th and October 15th.

5. It does not seem to me quite fair that a license say granted in the Kadur district should not be available all over Mysore. It is surely not as a source of Revenue that it is proposed to introduce this Regulation, but only to prevent the wholesale slaughter of games and in some parts the threatened extinction thereof. I cannot therefore see the reason for this imposition. For instance, I may reside in the Kadur district and hardly ever shoot out of it, and because I want to shoot duck, teal, etc., in, say, the Shimoga district for a day, I shall have to pay another Rs. 20, not to mention the apparent trouble and delay in getting license.

(Sd). G. R. OLIVER.

Birur, 29th May 1901.

## No. 7.

*Letter No. 20, dated Tumkur, 3rd July 1901, from the Deputy Commissioner of the Tumkur District, to the Secretary to the Government of Mysore, General and Revenue Departments, Bangalore.*

In reply to your Official Memo No. 13769-76—Leg. 99, dated 15th April 1901, forwarding for my opinion and suggestions, the Draft Rules proposed to be issued under the Mysore Game and Fish Preservation Regulation II of 1901, I have the honor to state that the Assistant Commissioners and other Officers who were consulted in the matter are all in favor of the adoption of the proposed Rules and I generally concur with them. But the District Forest Officer and the Reverend D. A.

Rees, the Wesleyan Missionary at Tumkur, who were also consulted are of opinion that:—

- (1) (As regards Rule 2—the period for which the killing of pea-fowl and jungle-fowl is prohibited, viz., 5 years, is excessive;
- (2) So also is the period of close season—Rule 6, and
- (3) Mr. Rees adds that it is dangerous to invest police constables forest watchers and other low-paid officials with powers to arrest offenders, suggesting at the same time that such subordinates should only report to their superior officers in the case of any offence falling under the Rules, which may come under their notice, the names and address of offender.

2. I submit the above for the consideration of

1. Memo from the Reverend D. A. Rees. Government and
2. The District Forest Officer's letter No. 406, dated 29th June 1901. enclose copies of the marginally noted communications for the information of Government.

3. As regards the areas in this district into which the said Regulation may be introduced, I beg to suggest that the district jungles in the taluks of Tumkur, Maddagiri (including the Koratagera sub-taluk), Kunigal and a portion of Gubbi may be treated as tracts for the purposes of the Regulation.

(Enclosure No. 1 to the above.)

*Letter No. 406, dated 29th June 1901, from the District Forest Officer, Tumkur District, to the Deputy Commissioner, Tumkur District.*

Referring to your No. 1940, dated 19th April 1901, and the Draft Rules under Regulation II of 1901, I have the honor to state that the period of five years prescribed for the protection of jungle-fowl in Rule 2, appears to be rather a long period inasmuch as the reproduction is frequent and certain in this feathering kind. I beg to suggest, should the above idea meet with the approval of the higher authorities, that the period of protection may be reduced to three years. In other respects, I have nothing to say against the Draft Rules.

(Enclosure to the above No. 2.)

*Comments on proposed Game and Fish Preservation Regulation II of 1901, by D. A. Rees, Wesleyan Missionary.*

*Rule 2.* It appears to me that to prohibit the killing of pea-fowl and jungle-fowl

in any part of Mysore for a period of five years is excessive. These fowls are plentiful in the State Forests and Plantations of the Tumkur district, they have abundance of cover, and are well able to take care of themselves. Special legislation may be ordered in some parts of the Province, but even then five years seems to me to be a long period to fix.

*Rule 6.* The "close season" appears to me to be very long. The matter can only be decided by those who know the breeding time of the various birds and animals to be protected.

*Rule 12.* Will it not be a dangerous thing to give constables, watchers and other low-paid men power to arrest? My suggestion is that they should take the name and address of any offenders and report to their superior officer.

### No. 8.

*Letter No. 14, dated Bangalore, 4th July 1901, from the Superintendent, Revenue Survey, to the Secretary to the Government of Mysore, General and Revenue Departments.*

I have the honor, in continuation of my letter No. 807 of the 20th May 1901, on the subject of the proposed Draft Rules under Regulation II of 1901, to forward copy of extracts from a joint memo by Messrs. Brooke-Mockett Elliot and Middleton on the same subject. These three gentlemen, from their wide experience are well qualified to offer useful advice and their opinions are entitled to carry weight.

2. Briefly what they suggest is as follows:—

1st.—In Draft Rule 6 (a), to have a different close season for duck and teal, viz., from 1st April to 1st September, hares and all other feathered game remaining as provided for in Draft Rule.

2nd.—Rule 6 (b). The close season for antelope to be from 1st February to 1st August; for bison and sambhur, the close season to be from 1st November to 1st March; in other cases the Draft Rules to remain as at present.

The suggestions, it will be observed, are few in number, and I am of opinion that they should be adopted, for reasons fully given by the gentlemen above mentioned. As a matter of fact, duck and teal, being migratory birds, will protect them-

selves by the usual annual flight, while antelope, bison and sambar will owe their protection chiefly to the clauses in the Regulation and the rules forbidding the destruction of females and immature animals and therefore a change in the close season in their case can do no harm.

3. I only received the communication now under reference, by the last mail from England.

— — —  
(Enclosure to the above.)

*Letter dated London, 14th June 1901.*

Dear Colonel Grant,—I beg to hand you herein suggestions regarding alterations in the close time in the proposed Game Laws for Mysore. These have been drawn up by Messrs. Robert H. Elliot, J. S. Middleton and myself, and I have been asked to forward them to you and to beg that you will submit them to the Dewan for his consideration. Messrs. Elliot, Middleton and I, have been shooting in Mysore during the past thirty-five years, and we respectfully submit these suggestions as the result of our long experience in the maldad.

We would beg to point out that should the close times suggested in the Government proposals be adhered to, Planters will to a great measure be debarred from shooting.—Believe me yours sincerely.

(Signed) BROOKE MOCKETT.

— — —  
*Memo.*

We beg to submit that the close time for *wild-fowl*, (*duck and teal*) should commence on 1st April instead of on 1st March. This would be more convenient for Planters as during November, December, January and February they are unable to shoot being tied to their estates by crop operations and thus if close time commences on 1st March they will be practically debarred from wild-fowl shooting, whereas, if 1st April is fixed, Planters will be able to shoot in March as has been their custom for years. The migratory birds have not all left then and good sport is obtainable. As wild-fowl do not pair in March we submit that it may be left an open month without detriment.

We also submit that the proposed close time for *antelope and gabelle*, viz., from 15th June to 15th November, comprises some of the best months for shooting, and the season during which shooting is to be permitted (from 15th November to 15th June) embraces some of the hottest months in the year when the beat on the plains is intense and shooting impracticable. We advocate that the close time



should be from 1st February to 31st July. We should prefer from 1st January to 30th June but are aware that Europeans often spend the Christmas holidays on shooting trips and would wish January to be an open month. The Government proposal would make the cool season close time, and the hot season shooting time, but as antelope appear to have no very definite breeding season the object of this is not obvious. In favor of the shooting season being from 31st July to 1st February (1) we submit that that is the coolest time of the year, (2) that Planters have leisure during August, September, October and November when many of them go to the plains to avoid the south-west monsoon, and (3) because it is towards the end of the moonsoon that the ragi crops become ripe and antelope visit the fields to eat the ears and do great damage, and shooting then helps the raiyats to protect their crops.

The close time for *bison* and *sambhar* in the *Ghat* country should, we submit, be changed from 15th June to 15th November to about from 1st November to 1st March because during the first mentioned period the grass is green on the ghat hills, while during the greater part of the time proposed for shooting these animals, there would be no grass fit for feeding. Shooting on the ghat ranges is all stalking, driving not being possible on account of the size of the forests. Before, during, and after, the monsoon (S. W.), bison and sambhar are to be found on the grass hills, and are get-at-able, and it is then that the shooting season should be fixed. During November, December, January and February the grass on the ghats is long and dry, and not an animal comes to it. This season we urge should be close time.

### No. 9.

*Letter No. 22, dated Camp Tarikere, 9th July 1901, from the Deputy Commissioner, Kadur District, to the Secretary to the Government of Mysore, General and Revenue Departments.*

In continuation of my letter No. 748 of the 11th June 1901, furnishing opinion on the Draft Rules proposed to be issued under the Mysore Game Regulation, I have the honor to forward herewith letter of the 4th July 1901, received from Mr. H. Pilkington.

(Enclosure to the above.)

*Letter dated Koppa, 4th July 1901, from Mr. H. Pilkington, to the Deputy Commissioner, Kadur District.*

I beg to thank you for kindly sending me the Draft Rules under the proposed Mysore Wild Animals Protection Act. I

should have replied before but have less endeavouring to ascertain beyond doubt in what months the principal local animals breed.

I beg to make the following suggestions :—

*Re Clause 2.* Though glad to see pea-fowl protected for five years, I do not consider jungle and spur fowl require such long protection. They commence breeding in March, and the second broods are only becoming strong on the wing by September 15th. I would suggest therefore a close time for these of, March 1st to September 15th.

*Re Clause 3.* I consider that the statement in this clause that fish in perennial streams spawn from January 1st to June 1st is quite wrong. Mahseer and the other carps certainly work their way up stream in the monsoon floods to spawn, and go down again towards the end of the rains.

The mahul Gowdas are well aware of this, and put up traps to catch the descending fish.

I suggest a close time from June 1st to November 1st.

*Re Clause 6. 2.* With regard to duck, there are migratory duck and 'local' duck in Mysore. The former protect themselves but those that remain should be protected from May 1st to November 15th, and not as suggested March 1st to September 1st. Such a season commences unnecessarily early and re-opens before the young ducks can fly and they would be butchered. Snipe should have a close time from March 15th to September 15th.

*Re Clause 6 b, and Clause 7.* Clause 6 b, seems quite unnecessary provided clause 7 is properly enforced. Were it enforced been shooting in Lakvalli and similar forests would be impossible as it can only be carried on during the rains, and the close season under Clause 6 b is from June 15th to November 15th; when added to this is the close time for forest fire protection these jungles would be practically closed for the whole year. The only time during which mature males require protection is during the rutting season. Clause 7 already affords complete protection for immature males and all females.

The following are the rutting seasons of the principal local wild animals.

*Bison* breed during all months of the year. It is impossible therefore to fix a close time for the bulls.

*Sambar and Spotted Deer*—Commence rutting towards the end of September, and the season probably continues till middle of

December but spotted deer are very irregular. The period of gestation for sambhar is 8 months, and for spotted deer 6 or 7 months.

For *Barking deer* the rutting season is January and February and the period of gestation 10 to 11 weeks apparently.

For *Black buck* the rutting season is February and the period of gestation 6 months.

Thus with the exception of the antelope, the young are mostly born at the commencement of the S. W. monsoon.

I would suggest an increase in the gun licenses to say Re. 1 or at any rate to Ans. 8.

I would also suggest that when this Act comes into force any one holding a license under the same should be thereby empowered to demand to see the license of any other party he may meet in pursuit of game, on his producing his own license, and should the other party not be able to produce his license, the holder of the license should be entitled to demand the name and address of the other party in order to forward the same to a Magistrate.

### No. 10.

*Letter No. D. 77, dated Bangalore, 12th July 1901, from the Deputy Commissioner of the Bangalore District, to the Secretary to the Government of Mysore, Revenue and General Departments.*

With reference to Government Official

Colonel J. P. Grant, Superintendent, Revenue Survey.	Memorandum No.
Mr. L. Ricketts.	13869-76—
Colonel Ross Thompson, R. E.	Leg. 99,
Mr. W. V. Davy, Deputy Excise Commissioner.	dated the
Mr. C. Brown.	15th April

1901, forwarding a Draft of Rules proposed to be issued under the Mysore Game and Fish Preservation Regulation II of 1901 for an expression of my opinion and that of any other persons in the district conversant with and interested in the matter, I have the honor to forward, herewith, in original, the replies received from the marginally noted "gentlemen, whom from their wide experience and reputed knowledge of sport, it was considered advantageous to consult, and by whom the Rules have been well and exhaustively discussed. The views of the Divisional Officers were also taken in the matter and their letters are enclosed.

2. I beg to offer the following remarks and suggestions on what appear to be the salient features of the Draft Rules in question.

*Preamble.*—With regard to the preamble to the proposed Rules concluding

\*For Col. Grant's opinion, see pages 9-11.

with the words—

"but the provisions regarding licenses shall not apply to State Forests and Plantations," and by the form of license proposed, making it (the license) not available as regards State Forests and Plantations, I concur with Colonel Grant that this is open to the interpretation that, either no license is necessary to shoot in State Forests and Plantations, or that no shooting will be allowed in such areas. The wording may, therefore, be made clearer. If, on the other hand, in view of the reasons urged in paras 2 and 5 of Colonel Grant's letter, and which appear to me deserving of consideration, Government should see fit to allow shooting in State Forests and Plantations, when subservient to Forest Rules and restrictions and regulated by the Regulation and the Rules thereunder, on the taking out of a license, the wording of the said portion of the preamble might, once for all, be modified accordingly.

*Rule I.*—The depredations committed by monkeys, when once they have taken up their abode in the neighbourhood of fruit gardens and other crops, are most annoying and are often attended with serious consequences to the owners, who to save themselves from loss are obliged, though reluctantly, to shoot them, as the only effectual means of being rid of these troublesome pests. Moreover, they cannot, in open tracts, be caught and deported, as is sometimes done in large towns. Some species of monkeys are very savage and dangerous, and instances are not wanting in which they have been known to deliberately attack women and children. I would not, therefore, absolutely prohibit the killing of monkeys; but would allow it in special cases, the previous permission of the Deputy Commissioner being obtained in all such cases.

The birds of song referred to under this Rule might, I think be advantageously enumerated.

*Rule II.*—I scarcely consider it essential to give the birds mentioned in this Rule complete immunity for 5 years—an opinion shared by Messrs. Ricketts, Davy and Brown—as, under Section 6 (a), there is a close season for them. If some such provision as is contemplated in para 6 of Colonel Grant's letter be adopted and poaching suppressed, it will secure all the protection that seems needed.

*Rule III.*—There are not many perennial streams or tanks in Mysore, and between the months of March and June, the water in most of them goes down to a very low level, the result being that fish perish in

large numbers. It is therefore, I submit, of questionable utility to prevent absolutely fishing at this period by fishermen who form a large body of men and to whom it is a means of livelihood. In the case of some tanks, the right of fishing belongs to raiyats who are bound to do cartwork, and I doubt if such rights could be extinguished in the manner suggested. The Rule may be so modified as to ensure the preservation of fish only in very large reservoirs and in deep parts of perennial rivers like the Tungabhadra and the Kaveri.

*Rule VI.*—For the words "shoot at and kill," which occur in this Rule, the words "shoot at, wound, kill or capture" should obviously be substituted.

As regards the close season for feathered and other game contemplated in this Rule, I see no necessity, et al., for providing one for migratory birds which do not breed here; but leave the country and find elsewhere that season for themselves. It will be observed that Messrs. Davy and Brown suggest some alterations in Rule VI (b).

*Rule VII.*—For "shoot at and kill, or attempt to do so," substitute, "pursue, shoot at, wound, kill or capture."

Mr. Ricketts is averse to the absolute prohibition of the killing or capturing of mature females of the game animals, as such females are protected, not only when immature; but also during a close season of 5 months, as per Rule VI (b), and to give them further immunity, he thinks, will tend to greatly increase their numbers and power of destroying crops by wholesale browsing, while Mr. Brown questions the utility of allowing only the mature males of deer to be shot, thus leaving the Does to immature and partially developed males. The rule, as proposed may, however, be adopted as a tentative measure and subjected to such changes as further experience renders necessary.

The onslaught on the mature male ought also to be, I consider, in some measure controlled; but I do not see how this can be done otherwise than by making the rule very complicated and difficult of being understood by ordinary uneducated village shikaris.

*Rule VIII.*—For "shoot at and kill game, or attempt so to do" substitute "pursue, shoot at, wound, kill or capture game."

The granting of a special license, at a reduced rate, under this Rule, as proposed by Mr. Brown, for the use of those whose time and means can only allow of their going out on short shooting excursions after

small game, would be a great boon.

*Rule X.*—The question mooted by Colonel Grant of extending to patels and shambhogs the right of calling for production of licenses under this Rule, as they are already empowered in Rule 13 to arrest offenders under the circumstances referred to in Section 11 of the Regulation, is one of much importance, seeing that the adoption of the suggestion ought to ensure the more thorough checking of shooting licenses. Indeed, I think there may also be included in this category, all Executive Officers of the Revenue and Forest Departments of and above the rank of shikdar and forester, and the words, "or any other person authorized by Government," may be added to Rule X.

3. The addition proposed in para 8 of Colonel Grant's letter, regarding the punishment to be inflicted for any breach of the Rules appears necessary, and may well form the concluding para of the Rules.

4. As regards the local areas into which the Regulation may, in the first instance, be introduced, it will be seen from the replies of the officers enclosed, that the consensus of opinion is in favor of its extension to the whole district, and without adding anything further, I beg to state that in this view, I entirely concur, as I am not aware of any valid reasons why any tracts where game exists, or is likely to exist under the auspices of the Regulation, should be exempted from the operation of the Rules framed thereunder.

5. In conclusion, I may add that the Draft Rules are, in my opinion, well calculated to meet a want that was long felt by sportsmen; but to give full effect to and enforce the observance of the same, will I fear, not be found to be an easy task. Much will have to be done in enlisted the sympathy and co-operation of the village communities in contending against the baneful practices of poaching, snaring, trespassing and netting game which are now indulged in by the wandering tribes and unprincipled local shikaris. The granting of gun licenses, too, will have to be more closely scrutinized.

6. I cannot help thinking, however, that, with all the precautions that may be taken, there will still be much room for evading the Rules for the preservation of game without some permanent staff of intelligent and trustworthy game watchers who, working in conjunction with men of the Forest Department, would be able to place the system of watching on an efficient and satisfactory footing. But I doubt, whether it is possible, at the present time, to secure such an agency at a cost, which

Government can afford to bear, and which will not be disproportionate to the object intended to be gained.

(Enclosure No. 1 to the above.)

*Memorandum, dated 1st May 1901, from Mr. L. Ricketts.*

1. Draft Rule 1, after the word "song," add "or of brilliant and ornamental plumage."

2. Draft Rule 2, seems unnecessary, as under Draft Rule 6 (a), there is a close time for these birds from 1st of March to 1st September, and to give them complete immunity for 5 years may or will work hardship on the jungle tribes who make their living in part by the capture and sale of such feathered game.

3. Draft Rule 3, might be omitted altogether. There are few or no perennial streams or tanks in Mysore and what is the use of multiplying fish in a long close spawning season, to be washed down the streams or over the waste weirs of tanks during monsoon floods, or to die when the streams or tanks dry up? The interests of a large body of fishermen who gain their livelihood chiefly by fishing and netting have to be considered in this matter. Further, Draft Rule 4, appears to provide for all that is necessary.

*N. B.*—It is presumed that fishing and netting are prohibited in Hessarghatta tank.

4. It is submitted that no useful object can be gained by absolutely prohibiting; as per Draft Rule 7; the killing or capturing of mature females of the game animals therein mentioned "at any time of the year." Such females are protected not only when immature, but also during a close period of 5 months; as per Draft Rule 6 (b). And to give them further immunity will certainly greatly increase their numbers and powers of mischief to devastate the crops of villagers and to destroy plants and saplings by wholesale browsing.

Further, tigers and cheetahs will assuredly increase in numbers in proportion to the multiplication of the above mentioned game with the result of increased loss of agricultural stock—if not of human life also.

5. In several of these Draft Rules, the words "or capture" should be added after the word "kill."

*N. B.*—2. Draft Rules 11 and 12, are unnecessary for the Bangalore district.

(Enclosure No. 2 to the above.)

*Letter dated Bangalore, the 6th July 1901, from  
Colonel Ross Thompson, R. E., (Retired).*

1. With reference to your letter No. 2271 of 27th May 1901, I have the honor to express my regret, that so long a time has elapsed before replying to it.

2. In the printed copy of the "Draft Rules under Regulation II of 1901," Rule 1 absolutely prohibits the killing of monkey, Brahman kites, parrots and "*birds of song*." This is a good rule as far as it goes, but in my humble opinion it does not go far enough. There are many other Indian birds which require and deserve protection, just as much, if not more than the "*birds of song*." When you come to think of it, the song birds of India—or at any rate this part of it—are few and far between. The bul-bul, the Indian robin, and the Nilgiri thrush, are the only birds I can remember at the present moment that have much claim for consideration as "*song birds*." But there are many other birds with beautiful plumage, which are ruthlessly slaughtered for the sake of that very plumage. I would therefore prohibit the killing of birds of any kind whatsoever *except game birds*, and these game birds should be religiously protected during close seasons, and such other seasons as the Government may consider it advisable to protect them.

3. Rule 3 appears to be a good and reasonable one, and Rule 4 is one which has been sadly needed up to date.

With regard to the poisoning of water and the use of dynamite or other explosives, I would treat persons guilty of these practices with the greatest possible severity.

As for "fixed engines" and "small meshed nets" the systematic, instant confiscation, and destruction of these devices would perhaps be sufficient penalty.

4. With regard to the licenses required for the shooting at and killing of game—Rules 8 and 9 appear to be good and explicit—but—I cannot find any reference in the Rules to the licenses which should be taken out for *fishing*.

Should any rule be framed and added regarding such licenses, a distinction and difference would seem called for between licenses for *net fishing* and licenses for *hook and line fishing*. The net being a much more wholesale and certain way of capturing fish than with lines and hooks. I have omitted the word *rod* advisedly, as many native fishermen, and some Europeans use no rod, but simply cast their



baited hooks by hand from a coil of line held by the other hand or by the feet, sometimes towing it along as they wade through the water, or having it towed by a boat or other floating contrivance. The distinction (if any is to be made) should therefore be between *net* fishing and *line and hook* fishing, mode of course being permissible with the lines and hooks, should the fisherman desire to use them.

(Enclosure No. 3 to the above.)

*Letter No. 1368, dated 6th June 1901, from the Deputy Excise Commissioner in Mysore, to the Deputy Commissioner, Bangalore District.*

With reference to your letter No. 273 of the 17th April 1901, enclosing a copy of the Draft Game Rules, I have the honor to reply that the Rules as a whole seem fair and reasonable. I would however suggest that No. 2 be omitted as being quite unnecessary.

No. 3—the dates should be altered from 1st January to 1st June to 1st March until 1st August.

No. 4—the size of the mesh should be increased say to  $2\frac{1}{2}$  inches.

No. 6 (b)—dates to be altered to 1st June to 1st October.

No. 7—in addition to the provisions contained in this Rule, I think the number of bull bison and stag sambhar should be limited to say 2 of each in any one district per annum.

To No. 10 I would add “or any other person authorized by Government.”

The Game Act is undoubtedly a step in the right direction, but I foresee there will be great difficulty in carrying out its provisions so as to reach those who are at present doing their best to destroy all the game in the country, and those are more especially those wandering tribes who are any living thing for the sake of its flesh or skin. Also the villagers who make it a practice to drive antelope into nets without any respect to sex or age.

I also consider that a reward of at least Rs. 15 a head for wild dogs should be offered, as they are most destructive to game of all kinds and are very difficult to kill.

The license should have an identification column to prevent its transfer.

Great care should be taken in the granting of gun licenses, the cost of which should be raised to Rs. 2 a year, and the pursuit of game outside the licensee's boundary most strictly prohibited. If this is not carried out any rules framed under the game act will be practically useless, and only hamper the sportsman whilst in

no way preventing poaching, as the gun licensees will for all practical purposes be placed on the same footing as a game license owner without the restrictions.

(Enclosure No. 4 to the above.)

*Letter dated Bangalore, 27th May 1901, from Mr. C. Brown.*

I have the honor to acknowledge receipt of your letter No. C. 273 of the 17th ultimo, enclosing copy of the Government Official Memorandum No. 13769-76—Leg. '99, dated the 15th April 1901, and the Draft Rules proposed to be issued under the Mysore Game and Fish Preservation Regulation, II of 1901, and asking me to furnish you with my opinion on the subject.

I thank you for giving me the opportunity of expressing my opinion and have pleasure in doing so as follows:—

The Game Act is urgently needed in Mysore and the Regulation will come into operation none too soon. But, to restrict its operation to local areas will, in my opinion, stultify its object. The Act should apply to every part of the Province, and to thoroughly enforce the observance of the Rules, a special set of Game-watchers, by preference pensioned sepoy, should be employed under the supervision of an experienced European Officer skilled in woodcraft, and one who would work the department in an up to date style, making a study of how things are done in the Deer Forests of Scotland. If possible this department should not be placed under the control of the Forest Department, and watchers should not be recruited locally. By making this a separate department, there would be two sets of watchers acting as a check on one another. Firstly, the Forest watchers to prevent poachers trespassing into Reserved Forests, and secondly, the Game-watchers to generally enforce the Rules, and to prevent the illicit destruction of game.

The beats of Forest-watchers are too extensive to admit of their keeping a strict watch on poachers who wait until the watcher is at the other end of his beat before commencing operations. By having a separate body of Game-watchers, under strict supervision, to whom the Forest-watchers can render valuable aid, the native poacher will find his occupation a risky one, and will not be able to follow it with impunity as hitherto.

To realise the extent to which poaching is practised, one need only camp in the vicinity of any of the Mysore Forests. Shots will be heard throughout the night, and

much game is destroyed irrespective of sex or sex, by natives who mostly live in the adjacent hamlets. These men either ignore the Forest-watcher, who may be miles away, or are in collusion with him. Hence the urgent necessity for a set of Game-watchers, strangers to the district, who will make it their special duty to detect all cases of poaching.

Many of these poachers own licensed guns, but many more possess unlicensed ones, and I venture to remark that if the Arms Act had been rigidly enforced, each applicant for a license being made to show good and sufficient reason for wishing to possess a gun, the decimation of game would not have reached such proportions as to call for a Game Act. A revised system is needed, to control the issue of gun licenses, and to check the actual number of guns in the possession of villagers. The plea that guns are needed to protect crops from wild animals is a plausible one, but the fact is that more game is killed in the forests by the owners of guns licensed for the protection of fields, than by anybody else. In cases where it is found necessary to fire at game animals doing damage to crops, in the vicinity of the forests, the Game-watchers might be deputed to do it. A few old muskets with a supply of blank ammunition is all that would be needed. It is also said that guns are required to protect the villagers from tigers and other dangerous animals; well and good, but surely two or three guns, in the hands of shikaris known to be equal to facing these animals, are amply sufficient for the purpose. There is no necessity for so many guns, in every hamlet, the average possessors of which are incapable of shooting anything more dangerous than an unfortunate deer, immature male, female or fawn, making no difference. It is all meat!

The amount of game shot by European sportsmen is a mere bagatelle when compared with what is annually destroyed by the natives of the Province in the following ways:—

Pea-fowl and jungle-fowl are shot on moonlight nights by poachers who have previously noted their roosting places, while "Godey Batay" shikaris snare not only these birds, but partridges and quails, at all times, and particularly in the breeding season.

Autelope are snared by placing wire nooses on their runs, and by turning loose a tame buck with nooses attached to his horns. The wild bucks get their horns entangled while fighting with the intruder.

Antelope, hares, and all kinds of feathered game, are destroyed in large numbers by villagers, in the periodical "Naads," or "Batays," when the men of several villages join together and hunt the country for miles. By encircling portions of the country at a time, and closing in, nothing from quail to antelope escapes them. Every man is armed with a cudgel, and the number of hares thus slaughtered is enormous. I saw as many as 70 killed by the men of one village who took part in such a drive, and as there were three other villages engaged in the drive, probably over 200 hares were killed in that one "Naad."

Hares are incessantly netted, not only near cultivated fields but in the scrub jungle as well, and their numbers reduced to vanishing point. Before suppressing these practices it will be necessary to consider how an increase in the numbers of hares, and antelope, under protection, is likely to affect the agriculturist: hares as well as antelope are very destructive to growing crops, particularly so when the crops are young.

Large game animals are surrounded by nets and speared therein, irrespective of age or sex. This style of sport may be legitimate with tigers, panthers, bears, wolves, wild pigs, and other vermin, but should be entirely prohibited in the case of all game animals. I have seen a herd of deer thus exterminated.

To enforce the Rules, and to obtain convictions, when village communities are the offenders, will be no easy matter. Until a sufficient staff of watchers is maintained to check the evil practices above mentioned, native poachers will find it easy enough to continue the illicit destruction of game, and the legislation will do little more than curtail the liberties of sportsmen, who pay for shooting licenses, while the native poacher will have it all his own way and continue to kill game without either gun license, or shooting license.

I have heard it remarked that every one, whether European or Native, should be made to pay a gun license fee of Rs. 5 per annum, but this will press heavily on some, particularly on natives. The preservation of game can only be secured by a stiff fee for shooting licenses, and an adequate system of watching. The poorer classes of natives shoot flying foxes, wild pigs, and many other small animals, for food. Those animals are not game, and it will be a hardship on such people to attempt to make them pay a heavy gun license.

I notice that the number of wolves and jungle dogs is on the increase, and a reward should be offered for their destruction. Twice during the past three months I have seen antelope being run down by wolves. There are many kinds of hawks, owls, and smaller vermin, together with jackals, the silver fox, the mongoose, and snakes, all of which destroy hares and feathered game. The hot weather fires are also the cause of great destruction.

Much may be done to protect game by judicious legislation, but far more will be done by enlisting the sympathies of the cultivators, and natives who live in the neighbourhood of forests, where game is to be found. If these people decide to unite, and retaliate, in consequence of their being deprived of the right to kill game as heretofore, then the extermination of game will commence in earnest, and it will cost the State much money to enforce the Regulation. Take for instance the large forests in the Mysore district, where the Kurubar reigns supreme, and where without his help nothing can be done. What is to prevent this tribe retaliating with impunity? It will therefore be advisable to move cautiously when introducing the new Regulation. Nothing should be done to court opposition from the jungle tribes, or from those owning cultivated land, or coffee estates, near the large forests. This has been proved in the Nilgiris, where in consequence of some vexatious prosecutions by the Nilgiri Game Association, sambhar are simply shot at sight when found on certain properties. This is the result of getting peoples' backs up!

With regard to the Draft Rules under the Regulation, I venture to remark as follows:—

Rule 1, prohibiting entirely the killing of monkeys, and parrots, &c., requires modification. As it now stands, it is not clear whether monkeys and parrots, which do considerable damage to coffee, fruit, and other crops, come under the "exception" provided for in Section 12 of the Regulation. If their destruction is absolutely prohibited, the owners of cultivated land will be entitled to compensation for the damage caused to any crops thereon, by monkeys or parrots. Native gardeners have often asked me to shoot the monkeys infesting their cocoanut gardens, where not a single cocoanut was harvested, in consequence of the mischievous depredations of these animals. Apparently even the native's religious toleration of the monkey has a limit; this is reached when his pocket is touched.

Rule 2, prohibiting the shooting of pea-fowl and jungle-fowl for a period of 5 years. I do not think this necessary, if the snaring of these birds as already stated, and their destruction by poachers, is suppressed. The regular sportsman shoots but few, and the birds breed rapidly, provided that their nests are not disturbed. Native cattle-herds, mostly boys, are in the habit of removing the eggs of pea-fowl, jungle-fowl, bustard and partridge. Not only are the eggs removed, but these culprits often succeed in killing the parent birds on their nests, or snare them by placing nooses round the nests. Large numbers of nests of the sky-lark are thus destroyed annually.

Rule 6, needs considerable modification. It is unnecessary to make a close season for migratory birds, such as snipe, duck and teal, florican, &c., as they do not breed in Mysore. To prohibit shooting them from the 1st March curtails sport for at least six weeks to two months, and nothing is thereby gained. These birds migrate after the first rains, the only exceptions being the grey duck, whistling teal, a few cotton teal, the so-called painted snipe, really not a snipe at all, bald cootes, divers, and water-hens. Some of these birds are not game, and few sportsmen fire at cootes and divers, &c. With these exceptions all other varieties of duck and teal, as well as snipe, woodcock, florican, &c., may be shot from the time they make their appearance until they migrate in May. The grey duck breeds in the large quiet tanks in the interior of the Province, during the cold season, that is, during the shooting season as now provided for by the Rules. This duck, and probably whistling teal, will need a special close time. Otherwise, the close season, between the 1st of March and the 1st of September, will suit for hares, and all other feathered game which does not migrate annually.

The close season for bison is not at all suitable. The best time for bison-shooting in Mysore is during the S. W. monsoon, and I see no necessity for prohibiting the same. The bulk of the cows calve in September, a few only in April. If the herds are not molested, solitary bulls may be shot at any time, without doing harm. However, the best time appears to be from April until the grass becomes too high to follow them.

Rule 7, prohibits the shooting of male sambhar and spotted deer, when their horns are in velvet, and when they are hornless. There is no difficulty regarding

sambhar, which shed their horns at the commencement of the close season, and grow in hard horn again about October. It is different with the spotted deer, which sheds its horns at all times of the year, so that bucks in hard horn, in velvet, and without horns, may be found simultaneously. It is easy enough to see that a stag has no horns, but by no means so easy to tell whether he is in hard or soft horn, especially when he breaks in cover and his horns are partially seen, also when he is seen in the open at long range and the sportsman has no glasses, or no time to use them. No matter how careful a sportsman may be, he is liable to make mistakes on such occasions. Deer have been so harassed by poachers that, even in the big forests, they seldom offer an open shot, and the sportsman, if he wishes to bag at all, must practise snap shooting. Mistakes must occur, and unless it is shown that a man makes it a habit to shoot stags in velvet, the occasional accidental shooting of such should not constitute an offence. It is in cases like this, that vexatious prosecutions have created much ill-feeling, on the Nilgiris.

The term "immature male" of bison, sambhar, antelope, ibex, or any other variety of deer, might be made clearer. An old hand, satiated with sport, seldom fires at these animals unless he sees that their horns are worth securing as a trophy; but the tyro can hardly be expected to exercise such restraint. He is eager to shoot something, and is apt to fire at the first stag he sees. Moreover the size of horns, except to the experienced eye, is most deceptive. All cannot expect to bag record heads, therefore, some happy medium should be decided on as regards the size of horns that may be bagged. It has to be seen whether the shooting of mature stags only is deteriorating the remainder, and it is doubtful whether the absolute protection of female deer conduces to the production of an increased number of stags with good horns. These two practices seem to have produced negative results on the Nilgiris, where hundreds of barren doe sambhar, accompanied by immature stags only, roam over the Koondas, and mature stags are seldom seen. It may be that the killing of mature stags alone, has upset the balance of nature, and that the offspring of immature stags has deteriorated. Or, finding that when they join the hinds they present a target to some shootist, the older stags have taken themselves off to the very densest covers, in the heavy forests, avoiding the hinds, which are served by immature stags only. It may

also be that, owing to the large increase of Does under protection, and the small number of mature stags now in existence, the opening of the shooting season, in November, interferes with the rutting season; the mature stags being the only ones shot at. Here we need the advice of the experienced European game-keeper. In Scotland it is found advantageous to kill off the barren Does, and some such arrangement might improve matters on the Nilgiris. The native poacher may not be an unmixed evil after all, he helps to preserve the balance of the sexes, which is destroyed by shooting the mature stags alone. The opinion on the Nilgiris is, that the few stags that have been shot by licensee-holders cannot interfere with the supply of mature stags, which, it is thought, are still killed in large numbers, by poachers whom the Forest-watchers, and Game-watchers, cannot, or will not bring to book.

It is to be hoped a better result will be attained in Mysore, and that those, to whom the management of the Game department may be allotted, will take advantage of the experience gained on the Nilgiris.

It frequently happens that two or more antelope are killed with a single bullet. Modern small bore rifles, such as the .303, have such enormous power that even soft nosed bullets are driven through two animals. The buck of a herd may be aimed at, and brought down, together with a female, or immature buck standing yards beyond in the line of fire. Such accidents cannot be regarded as a wanton breach of the Rules, nor should their occurrence be considered an offence. Vexatious prosecutions may, in similar cases, create much ill-feeling.

Rule 8. The fee of Rs. 10-0-0 is by no means high, and nobody who can afford to go out shooting will grumble at it. There are some who think that a higher fee would more effectually preserve game, but they should remember there are numbers of Europeans and Eurasians, drawing small salaries, who get very few holidays in the year, to whom a days shooting is most enjoyable. These men may not get more than a couple of days in the season, and if they confine themselves to small game alone, a special license might be granted them for Rs. 5-0-0. A similar special license might also be granted to shikaris who make their living by supplying the markets with snipe and wild-fowl; but, they should be prohibited shooting antelope, khorican, and any other feathered



game, excepting the two kinds first mentioned. It is sickening to see the numbers of antelope, does as well as immature bucks, and fawns, hawked about for sale in the Bangalore Cantonment market.

Rule 13 might, with advantage, include license-holders in the list of persons empowered to arrest offenders under the circumstances referred to in Section 11 of the Regulation.

I have not devoted much time to angling, nor am I versed in the habits of fish. I fancy the class of fishermen called "Boonday Beathru" a tribe of wanderers, who fish every river during the hot months when the water is low, must destroy an enormous quantity of fish of all kinds. Having camped at a point on a river, they fish the locality, a couple of miles up and down stream, and having sold the fish captured to the natives of the adjacent villages, they then pack up their traps and move up stream a few miles, pitch camp and repeat the process. I saw these men at work on the Cubbany river a couple of years ago, and was surprised at the quantity of fish captured by them. Four or five cart-loads, a morning, would be a fair estimate. I paid no attention to the size of mesh in their nets, but I did not observe any fish much below six inches in length. If the spawning season, as stated in the Draft Rules, 1st January to 1st June, applies to the rivers in the Mysore Province, the destruction caused by these people is simply enormous.

If you have not already asked Col. Ross Thompson for his opinion, you may with advantage write to him. He is a keen angler, and will I am sure be able to give you some useful suggestions.

Trusting that the foregoing may prove of some value to you, and hoping to be kept informed of any alterations in the Draft Rules.

(Enclosure No. 5 to the above.)

*Letter No. 230, dated Closepet, 1st July 1901, from the Assistant Commissioner, Closepet Division, to the Deputy Commissioner, Bangalore District.*

With reference to your Circular No. 273, dated 17th April 1901, calling for my opinion regarding the Draft Rules proposed to be issued under the Mysore Game and Fish Preservation Regulation II of 1901, I have the honor to state as follows:—

(1) An enumeration of the birds of song will, I think, lead

Rule 1. to a better understanding of the scope of prohibition contained in the rule and thus will tend to diminish to some extent the frequency of its violations.

(11) Certain species of monkeys are, as experience establishes, capable of causing injury to human beings and to private property. Cases can be imagined in which the killing of such animals will be necessary and must be regarded as justifiable.

The right of fishery in tanks is usually sold and exercised between the months of March and June, during which period the scanty quantity of water in them permits the catching of fish. Such sale of the right of fishery which forms a pretty large source of Government Revenue clashes with Rule 3.

The Deputy Amildar of Closepet proposes that "Executive officers of the Revenue, Forest and Excise Departments, of and above the rank of Shokdar, Forester and Excise Inspector" may be authorized to call for and examine licenses issued under Rule 8. With a view to ensure more thorough checking of the licenses the adoption of this proposal appears to my mind to be very necessary. The proposed power not being very responsible *per se*, no objection can be urged against it.

The Amildar of Channarayana thinks that the power of arrest is far too responsible for certain officials comprised in the Rule. It seems to me that the objection is not sound. It is premature to say at this stage whether the proposed power is likely to be abused despite the serious consequences which will certainly result from such a course of conduct. The power of arrest proposed to be given to watchers, constables, patels and shanbogs under the circumstances mentioned in the Rule appears to be very necessary in the interest of the successful working of Rule 11, Section 59 of the Criminal Procedure Code, for instance, entrusts even private individuals with the power of arresting persons who commit in their view any offence which is both non-bailable and non-cognisable. Although it must be conceded that this power is far more responsible than that proposed in Rule 13, it cannot be contended that it has given room for abuse or corruption.

2. The Regulation and the Rules framed thereunder do not specifically state whether the offences punishable under them are bailable or not. I understand that the provisions of the Criminal Procedure Code regarding the trial of offences, the mode of recording evidence, the disposal of arrested persons and the other

matters relating to procedure also govern the cases under the Regulation and the Rules.

3. As regards the local areas into which the Regulation and the rules ought to be introduced, I have the honor to state that I find no areas in this Division which can be exempted from their operation. The taluk of Kankanhalli and the sub-taluk of Closepet including several portions of Magadi and Channapatna taluks are forest areas, the game of which require protection under the Regulation. The existence of many and large tanks in the taluks of Channapatna and Magadi is an indication of the existence of game and fish. The comparatively close proximity of this Division to Bangalore and the abundance of game in it at one time appear to have attracted frequent shikari visitors and to have been the cause of an appreciable amount of reduction in game. From local enquiries I understand that even at the present day Kumbalgod State Forest, which is nearest to Bangalore, is not without attraction to many Eurasians at Bangalore. The residence of a large number of shikaris in this Division and the possession of a large number of guns by the people are further factors contributing to the reduction of game. The necessity of introducing the Regulation in places where once much game prevailed and where facilities for increase exist is sufficiently clear; and I have only to state that the Closepet Division is essentially such a tract of country comprising, as it does, of very large forest tracts and tanks. The hilly tracts of Magadi, Kankanhalli and Channapatna, including Closepet, contain the greatest proportion of jungle; and trees and bushes grow abundantly especially in the ravines between the heights. This Division contains nearly twelve-thirteenth of the total area of State Forest in the Bangalore district.

4. The observations made by Mr. Rice in his Gazetteer, establish that especially big game of the Bangalore district is confined to this Division. In pages 14 and 15 of Volume II, Mr. Rice says regarding wild animals as follows:—

“Early legends tenant the ancient forests which covered the district with the following wild animals:—

*Simha*, the lion; *Sardula*, the tiger; *Horina*, the deer; *Kapi*, the monkey; *Onelluka*, the bear; *Kunjara*, the elephant; *Srigala*, the jackal; *Mahisha*, the buffalo; *Bidala*, the cat; *Chamara*, the yak or perhaps the bison. The lion, it is needless to say, no longer ranges the forest, nor are

the elephant, bison and wild buffalo now to be met with, though the first is said to appear occasionally in the south of the Kankanhalli taluk. But to the remainder on the list may be added the cheetah or panther, the wild hog and the porcupine. The larger game, which is not plentiful, is mostly confined to the Magadi, Kankanhalli and Closepet taluks."

5. The above observations sufficiently establish the necessity for introducing the Regulation and the Rules framed thereunder into the whole Division. The Deputy Amildar of Closepet is right, I think, in proposing their introduction into his sub-taluk; while the Amildar of Channarayana is wrong in holding that no necessity exists for their application to his taluk or any portion of it. The Amildar of Magadi proposes that the Regulation may be introduced, as an experimental measure, into two hoblis of his taluk, viz., Madabal and Kasaba Magadi. He evidently forgets that the major portion of Tavarekere hobli is essentially a forest tract, while the low-lying grounds of remaining hoblis are occupied with a series of tanks varying in size from small ponds to considerable lakes. The Amildar of Kankanhalli has not yet replied to my reference inviting his opinion, owing to which circumstance, my reply was to some extent delayed.

(Enclosure No. 6. to the above)

*Letter No. 1448, dated 27th June 1901, from the Assistant Commissioner, Bangalore Division, to the Deputy Commissioner, Bangalore District.*

With reference to your No. 273, dated 17th April 1901, calling for opinion on the Draft Rules under Regulation II of 1901, I have the honor to submit that the Rules, with the exception of the last clause of the

preamble as shown in the margin, are well considered and will meet the present requirements of the country and may be introduced throughout the Province.

"But the provisions regarding licences shall not apply to State Forests and Plantations."

(Enclosure No. 7. to the above)

*Letter No. 1079, dated Camp Hindignol, dated 13th June 1901, from the Assistant Commissioner, Hoskote Division, to the Deputy Commissioner, Bangalore District.*

With reference to your No. C. 273 of 17th April last, calling for opinion on the Draft of Rules proposed to be issued under the Mysore Game and Fish Preservation Regulation II of 1901, I have the honor to state that it would be better if the patels and shambogs are also invested with the

power of calling for production of licenses. If these servants take interest, the Rules would work well.

II. As regards the local areas into which the Regulation may be introduced, I beg to state that it need not be restricted to a particular area but extended to the whole Province--so that sportsmen may not rush to the unrestricted area and destroy taking advantage of the non-introduction of that Regulation in that particular area.

III. Copies of the Regulation in Kanarese may be printed and distributed among patels and shanboga.

IV. To prevent an indiscriminate destruction of birds and fish, I think, it would be well to charge a fee of Rs. 30 at least for each license, so that only gentlemen that understand the Rules and are fond of real game might obtain permission, and that the others who wish to make a profit out of it may be prevented to some extent.

### No. 11.

*Letter C. No. 112, dated Camp Champion Reefs, 15th July 1901, from the Deputy Commissioner, Kolar District, to the Secretary to the Government of Mysore, General and Revenue Departments.*

With reference to your Official Memorandum No. 13769-76—Legis. 99, dated 15th April 1901, calling for opinion on the Draft Rules proposed to be issued under the Mysore Game and Fish Preservation Regulation, I would suggest the following modifications :—

- (1) Rule 2 is unnecessary as peafowl and jungle-fowl will be sufficiently protected by Rule 6 (a).
- (2) Rule 6 (a) should be amplified, and the shooting of snipe, duck, and teal should be allowed up to the 1st April.

The Regulation should be made applicable to the whole Mysore Province without restriction, if it is to be of any permanent benefit.

### No. 12.

*Letter No. 192, dated Chitaldrug, 24th—27th August 1901, from the Deputy Commissioner, Chitaldrug District, to the Secretary to the Government of Mysore, General and Revenue Departments.*

Referring to your Official Memorandum No. 13769-76—Legis. 99 of the 15th

April 1901, I have the honor to submit herewith copies of the opinions of Messrs. Arbuthnott, Head Master, Government High School, Chitaldrug, R. Mahadeva Rao, Amildar of Holalkere, and Mahomed Obaidulla, Deputy Amildar of Harihar sub-taluk, on the Draft Rules proposed to be issued under the Mysore Game and Fish Preservation Regulation II of 1901. Personally I am not a sportsman and am not in favor of killing birds or other game merely for the love of sport. Wild beasts which do damage to cattle and men may be killed and birds which do damage to crops may be scared away by means of a gun. Beyond this I would discourage the killing of birds or other game as much as possible.

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(Enclosure No. 1 to the above.)

*Letter No. 21, dated Chitaldrug, 22nd July 1901, from Mr. J. Arbuthnott to the Deputy Commissioner, Chitaldrug District.*

With reference to your docket No. 137 of the 19th July, I have the honor to state that I regret not having sent an early reply to your docket No. 1331-34 of the 30th April, as I was only too glad to welcome the Mysore Game and Fish Regulations with which I was quite in accord and was therefore under the impression that an early reply was unnecessary.

I have only a few remarks to make, which are not of a very important nature, from my experience as a sportsman for the past 30 years in Mysore.

2. In para 2 of the Game and Fish Regulations, I notice that snipe and geese are omitted under 'Game.' The former is a very great favorite among sportsmen from the delicacy of its flesh and is highly prized. The latter is a good large game bird, but is found only in small numbers in tanks but in large flocks of several hundreds on the banks of the Cauvery.

3. I have very great doubts of the real ibex of the Alps, Pyrannees and Carpathians being found in Mysore.

The mountain goat of Mysore is a species of ibex with horns receding to the length of 10 or 12 inches, but bears no comparison with its compeer of the Alps, which has a hard sweep of horns three feet in length, from its head almost to its hanches, with protuberant transverse semi-circular rings on the front side of the horn unlike that of the mountain goat of Mysore. The mountain goats which I saw ten years ago at Jogi Matt are no longer to be seen.

4. To preserve the few jungle sheep and sambhar still left at Jogi Matt, early orders should be given to stop the shooting of these animals for 2 or 3 years at least at Jogi Matt.

5. In para (1) of the Draft Rules only Brahmin kites as birds of prey are absolutely prohibited from being killed.

In course of time all carrion birds and birds of prey should be absolutely prohibited from being killed as they are of great service to man.

All carrion birds such as vultures, buzzards, common kites and crows devour the carcasses of animals and the offal of all animals and birds that are killed for food and are thus the scavengers of nature.

All birds of prey such as kites, crows, falcons, hawks and owls destroy large numbers of rats and mice and are true friends of the former.

They also destroy scorpions, centipedes, lizards, beetles, caterpillars (which damage the corn fields, vegetable, fruit and flower gardens) and even poisonous serpents.

In Jamaica a fine of £5 is imposed on any one killing a buzzard, and a fine of fifty rupees on any one killing the adjutant or scavenger bird in Calcutta.

Many of these birds are probably killed for their plumage or for feather beds and pillows or to be used as ornaments for ladies' hats. Even the wing of a raven, ibis or aigrette forms a no mean ornament to a lady's hat.

6. In para 2 of Draft Rules pea-fowl and jungle-fowl are not to be killed for the next 5 years, but hill and forest tribes are experts in capturing or ensnaring them. The rule may include both by wording it. It is not lawful to or it shall not be lawful to kill or ensnare pea-fowl or jungle-fowls, &c.

7. (A) In Draft Rule 8 the license fee of 10 rupees will fall heavy on those hunters living in the environs or suburbs of large cities like Bangalore and Mysore or in the cities themselves and whose whole shooting is confined to shooting duck, teal and snipe and rarely grouse or partridge to supply the market with game birds or the tables of the gentry or the tables of all flesh-eaters of every caste and creed with the dainty flesh of these highly prized birds of tank, brook, moor and fen.

The life of a huntsman is very different from that of a sportsman. To the former hunting is a means of livelihood

under great privations and hardships while to the latter it is a source of pleasure and enjoyment. Some concession may therefore be shown to this class of hunters on account of the hard and precarious life they lead to obtain an honest livelihood, while their services are highly appreciated by all lovers of game birds, especially by ladies, the infirm and aged and by such as are not able to use fire arms, and the license fee reduced to Rs. 5 only in their case.

8. (B) The Draft Rules refer to only such persons as are allowed to take licenses for guns but not to such as are not allowed to take licenses, as the forest and hill tribes on account of their predatory habits.

Some license fee may be imposed on them to bring them under the Gamo Laws and thus to have a better control and watch over their movements and doings with the object eventually if possible of inducing them by force of habit and circumstances to give up their predatory habits and to settle down to some quiet and honest mode of life whether pastoral or agricultural, as many of their tribes-men have done.

The Korachas, Koramas, Korarars, Kurumbas and Lambanis are very expert in ensnaring game such as antelope, hare, pea-fowl, jungle-fowl, grouse, partridge, quail, duck teal, &c., water-fowl of all kinds whether waders or divers by means of nets with large meshes for animals and by nooses tied to small stakes fixed in the ground and extending for half a furlong or more along the oozy shore of a tank or stream when aquatic birds seek for morsels, snails, strep, &c., are caught by the noose.

In the months of April and May some of these wandering tribes bring baskets of partridges, quails and sometimes 1 or 2 pea-fowl and jungle-fowl into the headquarters of districts for sale.

As these wandering tribes have long enjoyed this privilege as a time honored custom and as capturing or ensnaring animals is more arduous than shooting them and needs a great deal of patience, provocation and hardihood, as they are often forced by necessity to feed upon jackals, wolves, jungle-cats and other beasts of prey they may be granted a license to ensnare game for a fee of Rs. 3, per head provided they confine themselves to game birds and animals of prey without infringing the Draft Rules.

Since these wandering tribes come in gangs of 12 to 20, the headman may be granted the license, the names of the rest being entered at the back of the license



and for whose conduct and strict observance of the Draft Rules he will be held responsible.

9. I am entirely opposed to reducing the license fee of Rs. 10 in favor of any other class or tribe of hunters such as Bedas, Malnad Gowdas, &c.

I would exclude classes A and B rather than that the Draft Rules of the Game Regulations should be rendered impracticable by exceptions and concessions.

10. The Draft Rules may be published with little or no alterations at present so that their working may be in no way hampered or impeded and such additions or alterations made as may be found necessary hereafter.

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(Enclosure No. 2 to the above.)

*Opinion on the Draft Rules framed under Regulation II of 1901, (The Mysore Game and Fish Preservation Regulation) by the Amildar of Holalkere Taluk.*

The absolute prohibition of the killing of pea-fowls, &c., for a period of five years as laid down in Rule 2 may be made applicable only to particular localities such as Bangalore and other big centres where it is apprehended the number of sportsmen may be large. Considering that a very large percentage of the population in Mysore are vegetarians and the number of sportsmen very few, the restriction of five years may with safety be removed.

2. Absolute prohibition of fishing for six months in the year as laid down in Rule 3 entails undue hardship both to the fish eating class and the fishermen who as a class being very poor and having no other avocation excepting fishing for their livelihood will suffer heavily. Having regard to the fact that sea-fish is a rare commodity in Mysore, the prohibition may not be quite acceptable. Moreover, if fishing is prohibited from January to June, the remaining period of the year being rainy season and the streams, &c., being in high floods when fishing is seldom resorted to, it will virtually shut up fishing in streams, &c., throughout the year. A large percentage of the population, as stated above being vegetarians Government need not apprehend any fear of exhausting the supply of fish in rivers, streams, &c.

3. Considering that the number of sportsmen is very small in the Mysore Province the restriction laid out in Clauses A and B of Rule 6 may be removed without fear of diminishing the supply of game.

4. I do not think it is possible for a sportsman to make out from a distance whether the game is of the kind and sex permitted in Rule 7. This rule virtually prohibits sportsmen to attempt at shooting for fear of punishment.

5. The imposition of the license fee of Rs. 10 and Rs. 20 as laid down in Rules 8 and 9 is unduly severe, considering that the fishermen and sportsmen in Mysore belong to a particular class whose profession in life is fishing and sporting from which they hardly eke out their living, no fee need be levied for granting licenses, in other words, the licenses shall be issued free.

6. These licenses may with safety be granted by the Amildars to avoid delay and needless trouble to sportsmen and fishermen from travelling all the distance to district head-quarters to obtain licenses from the District Magistrates.

7. Rules 11 and 12 will again act as a hardship not only to sportsmen and fishermen, but also to flesh and fish eating population.

8. The other provisions of the Rules may be allowed to remain.

9. In conclusion I beg to state that it should always be the object of the Legislation to prevent unnecessary sporting or fishing on an extravagant scale but not so as to almost completely shut up sporting and fishing and thus deprive the necessities of life of the class of people who are habituated to eat flesh and fish as appears to be the case from the present Draft Rules.

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(Enclosure No. 3 to the above.)

*No. 7, dated 3rd July 1901, from the Amildar of Harihar.*

Submitted.

In Rule 2 the period of 5 years seems rather too long. It may be reduced to three years. Complete rest for full three years would increase the number to a great extent.

In Rule 6 (a) the class of season birds may be excluded. These birds come in numerous flocks and do damage to the crops. The period of six months, viz., from 1st March to 1st September provided by Section 6 (a) together with the period laid down in 6 (b) leave a very short period of three months and a half during which the licensee has to enjoy the privileges of the license granted to him.

The females of animals mentioned in Rule 7 may be protected during the breeding season. To restrict their destruction throughout the year in several cases would cause much damage to the crops and consequently a good deal of loss to the raiyats. Males of these animals when their horns are in velvet have to be protected.

A fee of ten rupees as laid down in Rule 8 is too much and it may be reduced to one rupee. The fee for a license throughout the Province has also to be reduced to one of 5 rupees.

Rules 11 and 12 have to be worked out with great difficulty. They would not only prevent the poor in earning their livelihood but also cause much inconvenience to the public and to the trade as well. In places situated on the banks of rivers and also where there is demand for fish throughout the year, the application of these Rules seems to be too hard.

### No. 13.

*Letter No. 271—229, dated Shimoga, 15th September 1901, from the Deputy Commissioner, Shimoga District, to the Secretary to the Government of Mysore, General and Revenue Departments.*

With reference to your Memorandum No. 13769-76—Legis. 99, dated 15th April 1901, enclosing Draft Rules proposed to be issued under Regulation II of 1901, I have the honor to state that I have consulted some of the persons interested in the subject and am of opinion that the Draft Rules may be passed as they stand.

2. Mr. H. F. Strickland has not yet sent me his opinion. Mr. James Yonug of Kudrikonda has, it appears, already sent his opinion to the Amildar of Honnali, who has been directed to forward it to me without delay. I will submit the same to Government on its receipt.

3. I beg to send herewith the Sagar Sub-Division Officer's opinion. His objection as regards monkeys is fully answered by section 12 of the Regulation so far as the destruction of crops is concerned.

4. I think that the maidan taluks and adjoining tracts require the protection conferred by the Regulation rather urgently, and I would therefore propose that the Regulation may be introduced in the first instances into the Shimoga, Honnali, Channagiri and Shikarpur taluks, the Kunasi

sub-taluk and the Anavatti and Jado Maganis of the Sorab taluk.

(Enclosure to the above.)

*Letter No. 81, dated Sagor, 9th September 1901, from the Sub-Division Officer, Sagor, to the Deputy Commissioner, Shimoga District.*

Adverting to your No. 2406, dated 20th April 1901, forwarding a copy of Draft Rules framed under the Mysore Game and Fish Preservation Regulation II of 1901 for opinion, I have the honor to submit that against Rule I of the Regulation, prohibiting killing of monkeys, some provision is, I think needed in order to obviate and to guard against serious mischief and havoc that would be committed by herds of monkeys to crops, persons and property in any locality, town or village. I would therefore propose a provisional clause to Section I of the Rule to the effect that when it is considered necessary for the aforesaid reasons, the public may, in order to deport to some stated distant place or jungle, entrap such group or groups of monkeys, previously obtaining permission of the Presidents of the Municipal or of District Local Fund Boards or of the Deputy Commissioner of the district within whose jurisdiction such locality, village or town is situated.

The other provisions in the Draft Rules call for no special remarks.

#### No. 14.

*Letter No. 253, dated Mysore, 18th September 1901, from the Deputy Commissioner of the Mysore District, to the Secretary to the Government of Mysore, General and Revenue Departments.*

Adverting to your Official Memorandum No. 13769-76—Legis. 99 of the 15th April last, calling for opinions on the proposed Draft Rules to be issued under the Mysore Game and Fish Preservation Regulation, II of 1901 and subsequent two reminders, I have the honor to state that the opinions of the marginally\* noted officers concerned with the subject were invited. Replies were received from the first 4 officers and are herewith submitted in original. The submission of this report was delayed in expectation of the remaining reports which are yet to come.

2. Speaking for myself, I have but few remarks to offer.

Rule 1. I think the rule is all right as it stands. A list of birds of song may be added so as to make the rule clear. I do

1. \*Mr. Theobald, Sub-Assistant Conservator.
2. Mr. Matlianna, District Forest Officer.
3. Mr. Bowring.
4. Mr. Ballard.
5. Mr. Kantharaj Urs.
6. Mr. Damappa Urs.

not share the fear expressed as regards the damage caused to crops by parrots, as Section 12 of the Regulation affords sufficient protection to the land owner.

*Rule 2.* Insectivorous birds may be brought under the protection of this rule to which a list of such birds may be added.

*Rule 8.* A license fee of Rs. 10 seems fair enough in the case of a resident. But when the applicant happens to be a non-resident the fee may well be doubled.

*Rule 10.* The shekdar, the village patel and shanbhog may be added to the list.

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(Enclosure No. 1 to the above).

*Letter No. 393, dated 17th May 1901, from the Sub-Assistant Conservator of Forests, Hunsur, to the Deputy Commissioner, Mysore District.*

I have the honor to acknowledge receipt of your docket No. 331—C., dated 20th ultimo, enclosing a draft of the Rules proposed to be issued under the Mysore Game and Fish Preservation Regulation, 11 of 1901, for my opinion and in reply I beg to offer the following suggestions.

2. The framing of game laws to regulate the capture or killing of game should be grouped under 3 heads (1) manner of capture or hunting (2) time or season of capture and (3) object of capture. Under the first head should be included the prohibition of driving into nets game animals or birds, pursuing deer, &c., with hounds or dogs; netting, snaring, lining or empounding quails, partridge, &c., and killing game before sunrise or after sunset, killing wild-fowl with swivel gun (4 bore and above.) Under the second head comes close seasons absolute protection (as in case of insectivorous birds) and protection for a certain term of years; these have to be carefully equated into as the seasons vary in the Province. The third head is most important and make it unlawful to kill big game for the sake of their hides or kill or capture any game for sale or export.

3. A list of the principal game animals and birds should be drawn up and come under the Regulation. There are animals and birds that are not protected and a list of these too should be drawn up. Probably no branch of criminal law depends so much for its reinforcement on the interest and public spirit of the individual as that relating to the protection of game animals and birds. Experience has shown in

America and other countries, that under ordinary circumstances such measures are apt to become dead letters unless the officials charged with enforcing the laws happen to be personally interested in game protection. For this reason special officers known as game wardens and deputy wardens are usually employed in several States of America, and in case of convictions a part of the fine is paid to any person instrumental in causing the arrest and conviction of offenders.

In *Section (1)* of the Rules drawn up, the killing of parrots has been included in the list of birds absolutely protected. These birds are not friends to the cultivators, as they do damage to standing crops, especially chalan or jowari; a list of the song or insectivorous birds should be given and which are the agriculturist's friends.

In *Section (2)* I should suggest bustard and floricans being added. I would also add that no one should take or needlessly destroy the nest or eggs of these birds or offer them for sale.

*Section 3.*—As far as my experience goes, the spawning season is not the same for every fish, i. e., January to June. The mahseer or billi meenu spawns in the Kabani and Cauvery rivers between 1st November and 1st January. I would add after "shall not be caught or destroyed" "by nets or baskets or destroyed by dynamite or other explosives or poisoned"—very few fish are caught by rods as they soon know the danger and fight shy. The Dharwar or Boorday besters are the men who flock in hundreds and thousands to this State between January and April, and, who simply depopulate our principal streams of mahseer and other fish.

*Section 4.* I would allow to remain as at present; but the restriction of the mesh to  $1\frac{1}{2}$  inch will interfere with the source of food supply as there are a few kinds of small fish which are caught largely for food which can only be taken in very small meshes of  $\frac{1}{2}$  inch or so.

*Section 5.* For the present in the Mysore District the Kabani river from the Vynad frontier to Hoolalli anikat should be closed to all netting and capture by baskets for 2 or 3 years. Similarly the Lakshmanathirtha from Coorg frontier to Katte Maladradi and the Cauvery from Coorg frontier to Chunchankatte or even Balgolla. I would not stop angling with rod and line. The tanks of Billikere, Wadargudi, Sentikere, Chowdikatte, are all in the Hunsur taluk and more or less open.

nial and may also be closed to netting or basketing for 2 years. The fishes that might be particularly protected is the mah-seer.

*Section 6.* I would add after "shoot at and kill," net, snare, entrap or empound.

(a) *Hares and game birds (not to be given) between 1st March and 1st October.*

(b) *All other game animals (as per list) from the 15th November to 1st April.*

As most of the deer tribe in the Mysore forest, Kakankote, Gundlupet, &c., are with young and very few bucks are in solid horn. In the northern parts of the State it might vary.

*Section 7.* I would add "net, entrap, or capture by pit-fall" after "shoot at or kill or offer for sale any Does or young immature males of bison, sambhar, spotted deer, antelope, black buck, or any sambhar or spotted deer having cast their horns or antlers." I would for the present suggest the omission of the word "buck or stags in velvet," as it is often impossible to distinguish at a distance in the forest, if the horns are in velvet or not, especially in these days of long range rifles when sportsmen kill their game 150 to 200 yards away.

*Section 8.* I would here suggest an alteration in the amount of license fees. There should be a difference made between a resident and a non-resident, the latter being made to pay at least double the fees of the former or even treble, this is the Rule in several States of America. Thus in North Dakota and Michigan the fee for residents is only 76 cents while that for non-residents is \$25, again a limit should be given to the number of head of game to be killed in each year by the license holder, for present I would suggest.

Bull bison 2, sambhar stag 4, spotted deer or chital buck 6, antelope (black buck) 6,

*Section 9.* May be left as it is, except making a difference in the amount of fees to be paid by residents and non-residents.

*Section 10.* I would add after the last sentence "Police Station" "any Forest officer of or above the rank of Forester."

*Section 11.* I would add of the skins or pelts of any game animals and birds or their eggs. A section might be added prohibiting the sale or export of the skins of bright coloured birds as per list for ornamental and dress purposes. Further free

certificates or licenses should be given to any person or persons who collect animals, birds, their nests and eggs for scientific purposes and not for market and wholesale exportation as aids to ornamentation. Such licensed persons should be bound to give security, personal or otherwise, a sum of Rs. 100 which bond shall be forfeited to the State and the certificate become void, upon proof that the holder of such certificate has killed any animal or bird or taken the nest or eggs of any bird for other than the purpose named.

Section 12 & 13. May remain as it is for the present, only guards being substituted for watchers.

In conclusion I beg to state that a careful list of the animals and birds that are considered game should be given also diagrams or plates showing at a glance the districts in which the Regulation will be in force the close season for each district and for each game, &c. I shall be glad to frame them from the books that I have, also from the several American Game Laws published last year.

With reference to the latter part of your docket so far as I know the Regulation shall apply in the first instance to the following districts: (1) Mysore, (2) Hassan, (3) Shimoga, (4) Kadur.

There are a few birds such as crows, sparrows, weaver birds, &c., that destroy grain, also carosants, darters, pelicans, and herons that destroy large quantities of fish, none of these should be protected.

I would further suggest that rolled stuffed specimens of game and protected birds and skins and heads of game animals should be exhibited in each taluk to the people, so that they cannot plead ignorance of the kind, I can undertake to supply such sets and even exhibit them to all important villages in the Province.

In the Mysore district the following taluks should first be brought under the Rules:—

1. Hunsur.
  2. Heggaddevankote.
  3. Gundlupet.
  4. Channaraynagar.
  5. Mysore.
  6. Malvalli.
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(Enclosure No. 2 to the above.)

*Letter No. 643, dated Camp, Seringapatam, 25th-26th June 1901, from the District Forest Officer, Mysore District, to the Deputy Commissioner, Mysore District.*

With reference to your docket No. 334, dated 20th April 1901, I have the honor to submit herewith my opinion and criticism on the Draft Rules proposed to be issued under the Mysore Game and Fish Preservation Regulation II of 1901 and beg to apologize for the delay that has occurred in the submission of the same, a fact due to a desire on my part to secure the benefit of the greater knowledge of the district than I possess of my Range officers, which I regret to say I have not been able to obtain except, perhaps, from Mr. Theobald, who I unfortunately has addressed you separately on the subject.

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*Comments of the District Forest Officer, Mysore District, on the Draft Rules under Regulation II of 1901.*

*Rule 1.*—Parrots may be excluded from the list as I know of no animal or bird excepting perhaps, wild-pigs which do more damage to standing crops. They are particularly destructive to javari and wheat crops. So far from affording them protection I would even suggest a reward being offered for their destruction. Except for their bright plumage they are of no economical use.

*Rule 2.*—I would add some of the insectivorous birds, such as, paddy-birds which are now being killed for their feathers.

*Rule 3.*—To this Rule I would make an exception in the case of large rivers like the Cauvery because by the enforcement of this Rule, the food supply of a bulk of the population would be interfered with. Besides the harm done by the catching of fish for local consumption in such rivers will be infinitesimal as the facilities they offer for its capture are not great. Such fishing is carried on by only professional men who would be deprived of their means of livelihood by the prohibition, which is certain to cause much discontent.

*Rule 6 (a).*—As many do not know the difference between game and other birds it would be necessary to publish a list of those birds, the shooting or killing of which is unlawful.

The operation of this Rule will be felt as a great hardship by professional bird-catchers, but on principle it is just, and will

go a long way towards the preservation of game birds which are being caught and killed in a wholesale manner in and out of season now.

*Rule 8.*—The fee prescribed in this Rule may be reduced to 5 rupees in the case of the Resident population and non-professional sportsmen. The number of natives who could afford to pay so high a fee as Rs. 10 for the luxury of hunting will be very small and even at the proposed reduced rate I believe, there will be very few applicants for licenses, but the concession will tend to conciliate the people to a law which deprives them of privileges they have enjoyed as of right from time immemorial.

In addition to levying a fee for hunting I would suggest that the number of heads which a sportsman can shoot at and kill be limited. Without this limit the object of the legislation will be defeated, for there would be nothing to prevent people making hunting a profession and killing game for purposes of trade. The inducement for doing so will become greater from the fact that large bags will be more easy to get as a consequence of the protection afforded by this law. I would fix the following limit:—

Bison.	... 1 head.
Other animals.	... 2 heads.

As regards the areas to which the Regulation may be made applicable, I recommend that it may be introduced into the whole of the Mysore district.

(Enclosure No. 3 to the above)

*Letter No. 133, dated Mysore, 3rd May 1901, from the City Magistrate of Mysore, to the Deputy Commissioner, Mysore District.*

Deputy Commissioner's No. 334-3, dated 20th April 1901, forwarding for favor of opinion Draft of Rules proposed to be issued under the Mysore Game and Fish Preservation Regulation II of 1901, etc.

In reply has the honor to make the following remarks.

*Rule I.*—This rule seems rather ridiculous as these animals are seldom or never killed. No one wants to shoot monkeys or Brahman kites though the latter do damage to the young of feathered game. Parrots I believe, are netted in large numbers and sold to Brahmins and other sects who release them as acts of charity but are not used as articles of food. The song birds of Mysore do not I believe, exceed half a dozen species and are also never killed. The Langer

monkey is perhaps killed and eaten by Kurubers and other low caste Hindus but are difficult to obtain as they inhabit dense forest tracts. The common monkey is held sacred and is never harmed.

*Rule II.*—Pea-fowl may be preserved as they are easily shot and are becoming scarce. Jungle-fowl, however, are very hard to obtain owing to their wary habits and therefore do not appear to need such special protection. I believe they are fairly plentiful.

*Rule III.*—The spawning season for fish is generally understood to be when rivers are in flood which would be from June to October and not from January to June. However, I am not sure on this point.

*Rule IV.*—The use of dynamite especially for killing fish is a very great evil and needs to be severely dealt with. A special penal clause might be advantageous in this respect.

*Rule XI.*—A license to sell game or fish of any kind might be insisted on.

*Rule XIII.*—License holders, if not given authority to arrest offenders should be allowed to give information which would lead to their arrest and conviction before a Magistrate.

Suggested.

1. That the reward for tiger and panther skins be reduced and that persons presenting the same for rewards be required to produce a license.

2. That a substantial reward be offered for the destruction of wild dogs which do more harm in the way of destruction of game than almost anything else.

3. The Arms Act needs to be more strictly enforced.

With regard to the Mysore district, the Regulation may be advantageously introduced in the first instance into the taluks of Gundlupet, Heggaddevankote, Mysore, Hunsur, Nanjangud and Seringapatam.

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(Enclosure No. 4 to the above.)

Letter No. 755, dated 28th April 1901, from the Superintendent of Police, Mysore District, to the Deputy Commissioner, Mysore District.

In reply to his docket No. 334-C, dated 20th instant, has the honour to make the following suggestions :—

1. Under Rule I, doves of all species be included as these are also fast disappearing.

2. Under Rule V, Bannar, Sosale and Gargawari on the banks of the Cauvery, and Sargur, Nanjangud, Hullalli, Hunnur and Kattay Mullalwadi on the banks of the Kapila and Lukehmanathirtha and all tanks reserved for drinking purposes, be closed against fishing and that—

3. The destruction of game of all kinds except by license, throughout the Mysore district be prohibited for a period of 5 years.

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#### No. 15.

*Letter No. 259, dated Mysore, 19th September 1901, from the Officiating Deputy Commissioner of the Mysore District, to the Secretary to the Government of Mysore, General and Revenue Departments.*

In continuation of my letter No. 253, of yesterday's date, submitting opinion on the proposed Draft Rules to be issued under the Mysore Game and Fish Regulation, I have the honor to suggest that the Rules may, with advantage, be introduced to the whole of this district. I regret that through an oversight this was omitted to be stated in the letter quoted above.

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#### No. 16.

*Letter No. 296, dated Shimoga, 21st September 1901, from the Deputy Commissioner, Shimoga District, to the Secretary to the Government of Mysore, General and Revenue Departments.*

In continuation of this office letter No. 271—229, dated 15th instant, I have the honor to forward herewith Mr. James Young's letter of the 18th instant, giving his opinion and suggestions regarding the draft rules for the preservation of fish and game.

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(Enclosure to No. 15)

*Letter from Mr. James Young, dated Nyamti, 18th September 1901, to the Amildar, Honnali Taluk, Honnali.*

My opinion regarding these is that the rules are very incomplete. In some cases being far too stringent, and in others not going far enough.

*Fish.*—I would only place the following restrictions on fishing.

1st strictly prohibit the poisoning of any stream or tank.

2nd forbid all fishing with explosives such as dynamite, gelatine, &c.

Beyond this, I would not prevent fishing, all the year round, in all tanks, streams and rivers. Fishing is the means of livelihood to certain classes on whom the

rules, as they now stand, would entail a great hardship.

India is most prolific of all fish, and I do not think any case has been made out to shew that fish are rapidly diminishing and need protection.

*Big Game.*—Though the killing of doves and “immature” (?) stags is prohibited, it would seem that they are only protected from being shot. The wording of the clause is “to shoot at and kill.” Apparently therefore any one may capture them in nets or run them down with dogs or otherwise kill them?

This clause needs amending and after “to shoot at” ought to be inserted “or snare, net or otherwise capture or kill doves, fawns and young stags or bucks.”

I am a keen sportsman, and have had a good deal of experience of the native ways of killing game—or rather of *destroying* game.

Be it borne in mind that the native *shikari* is as a rule a very inferior shot; further he is extremely slow in taking his aim and loosing off his gun; and then as a rule he is very badly armed.

I have no hesitation in saying that the game have been greatly reduced, and almost wiped out completely in some cases, not from being “shot at,” but from the cruel senseless, and sinful habit all natives have (men, women and children) of running down and capturing, or killing any small animal they come across. Be it a young fawn of an antelope, of a spotted deer, of a sambar or a chinkara or a bison, &c., or the young of hares, ducks, teal, &c.

In the case of birds a tremendous harvest is made each year of eggs.

There is no hardship in prohibiting the taking of birds eggs, (such as those of duck, teal, pea-fowl, jungle-fowl, &c.) as the native does not eat the eggs, but tries to hatch them and of course *always* fails to do so.

It is nothing but wanton mischief catching young animals, and such cruelty ought to be put down and severely punished.

Therefore I say strictly prohibit the catching or killing of all young animals, *i. e.*, the fawns of the deer tribe; young hares, &c., and also forbid the taking of birds' eggs. These two restrictions will do more to preserve game, both big and small, than anything that can be devised.

*Fees*.—These are very high and I would suggest Rs. 5 per annum for each District and Rs. 10 for the Province.

*Close season*—The small game breed from June to October, and so I would alter the close season accordingly.

*Big game*—(in spite of what the "Game Preservation Association" say to the contrary) ought to have a close season. The State forests are not the protection that the members of this association fancy. Most of the forest-watchers prove over their preserve every morning with gun in hand and shoot at any animal they see. Then it is no difficult matter for any one else to also shoot in these State forests by getting on the right side (or wrong side perhaps) of the watchers. Further any one can obtain leave to shoot in the State forests by applying to the D. F. O.

Certainly therefore have a close season for big game as well as small.

Five, punishments and the officers, competent to arrest any one committing a breach of the Rules. This in my humble opinion, is the worst feature of the whole Act. Fancy the power put in the hands of "Shambhogs" "Patels" and "Police Constables." Heaven protect the poor man who has made an enemy of any one of these. Any one pausing to consider the authority that is to be placed in the hands of such under-paid, minor "officials" must see what huge powers of oppression are being lightly placed in the hands of certain classes of crafty men that are as well-known to the higher officials as they are to me. If this authority is not placed in better hands, I pity the poor ignorant villager; and I fancy there will be very keen competition in future for the post of "Shambhog," "Patel," and "Constable."

I trust you will draw particular attention to this matter. The villagers may well cry out that you are thoughtful enough about the "poor dumb animals" but that you are preserving these at their expense. We shall have to start another "Preservation Act" to protect the poor against the working of the "Game Laws."

Yours truly,

You are liberty to send this letter to the Deputy Commissioner as I understand he wishes to know my views of the New "Game Laws."

#### No. 17.

*Letter No. 183, dated Hassan, 29th September 1901, from the Deputy Commissioner, Hassan District, to the Secretary to the Government of Mysore, General and Revenue Departments.*

Referring to Official Memorandum No. 13769-76—Legis. 99, dated 15th April

last, asking to submit the opinion of the Deputy Commissioner and that of any other persons conversant with and interested in regard to the Rules proposed to be issued under the Mysore Game and Fish Preservation Regulation, I have the honor to enclose herewith the opinions of the Mysore Game and Fish Preservation Association, Saklespur, together with the remarks of Mr. P. R. W. Wetherall, Sub-Division Officer, and of mine.

2. I would also suggest that in this district, the Regulation may advantageously be introduced in the first instance into the taluks of Manjarabad and Belur, the Palya and Ponnathpur hoblies of the Alur sub-taluk, the hoblies of Mullipatna and Komarur in the Arkalgud taluk, and the taluk of Arsikers.

Alterations suggested to the Draft Rules proposed to be issued under Regulation II of 1901.

Proposed alteration *by the Mysore Game and Fish Preservation Association, Saklespur.	Remarks of Mr. P. R. W. Wetherall, Sub-Division Officer.	Deputy Commissioner's Remarks.
<i>Rule 2</i> "     *	I concur     ..     ..	I also concur.
<i>Rule 3</i> "     *	No remarks     ...     ..	I have no remarks to offer.
<i>Rule 4</i> "     *	Do     ..     ..	Do
<i>Rule 6</i> "     *	I think the proposed alteration is necessary as the expression 'to shoot at and kill' would not provide against the mere shooting at or wounding even when the intention to kill existed.	I concur.
(a).     "     *	It would be of little use to prescribe a close season for migratory birds in the Mysore State (or local area) if they may be shot elsewhere or in places to which they migrate.	I concur.
(b).     "     *	Rule 7 affords sufficient protection without this clause,	I do not see how Rule 7 affords sufficient protection without this clause. Rule 7 relates to the absolute prohibition against the killing of immature males and females mature and immature while Rule 6, Clause (b), refers to other games. Hence retention of Clause (b) is in my opinion necessary.

\*For these, see p. 12 to 14

Proposed alteration * by the Mysore Game and Fish Preservation Association, Saklespur.	Remarks of Mr. P. R. W. Wetherall, Sub-Division Officer.	Deputy Commissioner's Remarks.
Rule 8	<p>* The addition of the word capture is necessary and for the reasons stated against Rule 6. Regarding 'shoot at and kill' it is necessary that the clause should be worded as now suggested namely shoot at, kill or capture.</p> <p>The Arms Regulation authorises the Sub-Division Magistrate as well as the District Magistrate to grant licenses. It is not apparent why the same should not be provided in this rule.</p>	<p>I concur.</p> <p>For the reasons given by the Sub-Division Officer, I think the Sub-Division Magistrate may also be authorized to grant license.</p>
Rule 10	<p>* This addition is necessary to provide more extensive check against persons shooting without a license. Magistrates and Police Station Officers cannot be everywhere. I would suggest that the right to demand production of license be extended to all Government authorities even constables, forest watchers, village officials, &amp;c., and also to every license holder, who might produce his own license as an authority to demand production of license by any suspected offender. Otherwise the system of licenses would not be efficient or provide wide enough check. Presumably this authority is inferior to that of arrest (<i>vide</i> Rule 13).</p>	<p>I concur with the suggestion made by the Association and differ from that of the Sub-Division Officer that the right to demand production of license should be extended to all Government authorities. I think it will be simply vexatious if all Government authorities should be given this right.</p>
Rule 13	<p>* A man who can pay Rs. 10 per annum for his license would generally be an individual of some respectability (if not a professional shikari of which class there are not many), but whether the power to arrest should be extended to him is a matter for full consideration, as such might lead to affrays.</p>	<p>I agree with the views of Mr. P. R. W. Wetherall. No addition appears to be necessary.</p>

\* For these, see p. 12 to 14.



For the Editor of the The Mysore Gazette and Fish Preservation Act of 1901	Remarks of Mr. P. N. W. Wether- all, Sub-Division Officer	Deputy Commissioner's Remarks.
<i>Additional suggested.</i>	This is a necessary provision (vide Section 6, Clause (3) of the Regulations).	I concur.
(a)     •     •		
(b)     •     •	"This system of rewards would, I think, not effectively in keeping down the numbers of the dangerous creaky of Ganes."	I agree as far as the necessity for the offering of re- ward is concerned, but I am not in favor of lessen- ing the rewards for tigers and leopards. The re- ward may, I think, be paid out of any realizations that might result by the work- ing of the Rules.
(c)     •     •	.....	.....
(d)     •     •	"If practicable, this might be a means of enabling the person demanding protection of the license to satisfy himself whether the pro- ducer of the license is the licensee, but in practice will be attended with some difficulty, unless marks of identification happen to be peculiar or very promi- nent."	I concur with the opinion of the Sub-Division Officer.
Rule 9     •     •	"In accordance with the recent Government Order requir- ing licenses under the Arms Regulations to be issued for the 'calendar year, presumably 'Calen- dar year' will have to be submitted for 'Revenue year.'"	I concur with the Sub-Div- ision Officer's opinion.

\* For them, see p. 18 to 16.

### No. 18.

Letter No. 185-B, dated Mysore, 29th-30th  
September 1901, from the Deputy Com-  
missioner, Mysore District, to the  
Secretary to the Government of Mysore,  
General and Revenue Departments.

I have the honor to submit herewith  
"For them, see pp. 18 to 16."  
copy of proceedings\*  
of a Meeting of the  
Mysore Game and Fish Preservation Com-  
mission in regard to Regulation II of 1901.  
It is clear from the correspondence ending  
with Government Order No. 18318-Legis-  
92, dated 9th April 1901, that the Govern-  
ment have taken the opinion of all interested

in the subject before the passing of the Regulation and that no opinion is called for at this stage, but as it is the desire of the Association that their proceedings should be sent up to Government before the Regulation comes to force, I have complied with their request. Generally speaking it seems to me that the suggestions of the Association are deserving of favorable consideration.

A copy of the Resolution\* of the Association proposing the introduction of a new rule under the Mysore Arms Regulation is also enclosed.

#### No. 18.

*Letter No. 371—772, dated Shimoga, 1st October 1901, from the Deputy Commissioner, Shimoga District, to the Secretary to the Government of Mysore, General and Revenue Departments.*

In continuation of my letter No. 271, dated the 15th ultimo, I have the honor to forward herewith a memo containing the opinion of Mr. S. A. Bapu Rao, District Forest Officer, Shimoga District, on the proposed Draft Rules framed under Regulation II of 1901.

(Enclosure to the above.)

Memo by Mr. S. A. Bapu Rao, District Forest Officer, Shimoga.

*Para 1 and 2.*—The elephant is considered to be a big game outside this province while here its killing is prohibited under the standing orders. When a game law is enacted, it is competent to expressly prohibit under it the killing of elephants except with the special permission of Government. This interdiction may be introduced either in para 1 or in para 2.

*Para 10.*—(a) Licenses under this rule may be made producible when called for also by Forest Officer of and above the rank of a Forester, or an Excise Officer of and above the rank of an Inspector or a Revenue Officer, of and above the rank of a Shukdar; because a Magistrate or a Police Officer of and above the rank of a Station House Officer, scarcely frequents the forests or other secluded places where game is available while it may be supposed that a Forester or an Excise Officer or a Shukdar has greater opportunities of calling for and examining game licenses; and in order to arrest as authorised in para 13, the Forester and other officers must also be authorised to call for the production of licenses.

(b) The obligation of producing the license when called upon by the officers may be entered on the back of the license.

(c) The licenses may be made returnable within the prescribed time under penalty, to prevent of the time-expired licenses being utilised by unscrupulous village shikaris.